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LIBER FAMELICUS

OF

SIR JAMES WHITELOCKE,

A JUDGE OF THE COURT OF KING'S BENCH

IN THE REIGNS OF

JAMES I. AND CHARLES I.

NOW FIRST PUBLISHED FROM THE ORIGINAL MANUSCRIPT.

EDITED BY

JOHN BRUCE, ESQ. V.P.S.A.

PRINTED FOR THE CAMDEN SOCIETY.

M.DCCC.LVIII.

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[No. LXX.]

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INTRODUCTION.

Sir James Whitelocke, the writer of the manuscript now published, occupied a prominent position in the reigns of James I. and Charles I. Rising from the middle ranks, he became a lawyer of eminence, connected himself with several families of importance, took a leading part in constitutional proceedings in parliament, sat with credit on the judicial bench, and was author of several valuable professional and antiquarian papers. Nor does our interest in his family terminate with himself. As in the previous instances of More and Bacon, and in several other eminent and well-known cases, which occur far more frequently in the law than in other professions, sir James's son, Bulstrode Whitelocke, excelled his father in all the principal points of his career. As a lawyer he was more eminent, as a statesman far more distinguished, and as an author, his works are among the most useful materials for the history of his period.[a]

A marriage with an heiress of the De la Beches, near the end of the reign of Henry VI., first brought the Whitelockes into consider-

[a] The recent republication of his Journal of his Swedish Embassy, under the editorship of Henry Reeve, esq. (2 vols. 8vo. 1855), affords proof that his works still interest historical readers. Of his Historical Memorials it is sufficient to remark that it is scarcely possible to find a book upon any incident in the reign of Charles I. which does not contain many references to it as an authority.

ation. By this marriage a John Whitelocke became possessed of the manor of Beeches, near Okingham, co. Berks.

After several generations we come to a William Whitelocke, who was the first person in the family given to literature. Sent from Eton to King's College, Cambridge, in 1537, in due time he became a fellow of his college and took the degree of B.D. The church rewarded his learning with the vicarage of Prescot, a prebend in Lichfield cathedral, and the rectory of Greenford in the county of Middlesex. He wrote a continuation of Thomas Chesterfield's Chronicle of Lichfield Cathedral, published in Wharton's Anglia Sacra, vol. i. p. 444. This William Whitelocke died shortly before 15th April, 1584.

Richard Whitelocke, the father of sir James Whitelocke, stands in the pedigree as the youngest brother of William Whitelocke the chronicler. "Put to London to be brought up in the trade of merchandize," he entered into his calling with spirit, and was accustomed to visit foreign countries in the way of his business. In 1570, during one of his journeys into France, he was seised with pleurisy at Bordeaux, and died there at the age of 37. As a Protestant, there were difficulties respecting his interment, but the English merchants resident in that city, "to the number of 100 or more, armed with shot, did carry the corpse into the vineyards, and there did honorably inter it." The young merchant who thus found a grave on the banks of the Garonne left in his native country a widow and two sons, who were increased to four within a few days after his death. The narrative which is here given of the struggles of his widow in bringing up her children, constitutes a picture of considerable interest. Her maiden name was Colte. She had a brother a merchant at Dantzick, but her paternal family was seated

at Little Munden, in the county of Hertford. Fearless in matrimonial speculation, her first adventure was with a London merchant named Brockhurst, "who dealt with the Italians for kersies and fine cloths." Death soon severed that companionship, her husband and a daughter, their only child, being carried off by the plague in 1563. Richard Whitelocke was her second husband, a man of gravity and prudence. After his death she married again. Her third adventure was with Thomas Price, and this time she was most unfortunate. A notable unthrift, her husband squandered the means which Whitelocke had bequeathed to her, and was moreover personally "unkind and insolent." Her life for many years was one of "daily miseries." In the midst of her troubles, although continually "robbed and pilled by her cruel and wasteful husband," she steadily persevered in the performance of her duties towards the young Whitelockes. Two things she determined to accomplish for them, and in both she was successful. Although "miserably afflicted in the law" by her third husband's creditors, she resolved to preserve for the sons of her second husband the portions left them by their father, and, better still, she set her heart on bringing them up "in as good sort as any gentleman in England would do, as in singing, dancing, playing on the lute and other instruments, the Latin, Greek. Hebrew, and French tongues, and to write fair." Such was education in England in the time of queen Elizabeth. The struggles of this exemplary woman to secure these advantages for her children, and the pious and peaceful close of her life, after she had brought up her children to man's estate and "buried her unthrifty and unkind husband;" she herself going away "with old age even as a candle goeth out," are affectionately commemorated by her son in several passages in the present volume.

The characters of her sons were as various as their fortunes. Edmund, the eldest, is well sketched by his lawyer brother. He was the fine gentleman of the family. Clever, witty, adventurous, well taught, well bred, a soldier, a traveller, an excellent companion, fond of "worshipful society," a pleasant, jovial fellow, uncertain in his movements, impetuous in temper, and with never a penny in his purse. He figured as "Captain Whitelocke" among the boon companions and spendthrifts of his day, and was led by high connections into circumstances which occasioned him to be suspected of participation in the two most notable conspiracies in our history, that of the Earl of Essex, and the Gunpowder Treason. "The brainsick meeting at Essex House" made him acquainted with the interior of Newgate, from whence he was transferred to the bar of the court of King's Bench, but the vengeance of the law had been satisfied ere the course of judicial inquiry arrived at the minor and more doubtful offenders; after a time he was committed to the free custody of his brother, the future sir James, and shortly afterwards was entirely discharged. The suspicion against him in connection with the Gunpowder Treason arose out of his dependency on the earl of Northumberland, whom the gallant captain took for his patron after the death of the earl of Essex. On this occasion captain Whitelocke was confined for a little while in the Tower, and afterwards in the Fleet, but was ultimately set at liberty and permitted to relieve with his cheerful society the long imprisonment of his second patron. In the unhealthy summer of 1608, captain Whitelocke was attacked with the disorder ordinarily prevalent during our fruit season. After being much reduced in strength, he "was let blood;" and under this treatment, not unnaturally, "went away quietly, as in a slumber." He was on a visit at

the time to the earl of Sussex, at Newhall in Essex, and the "picked man of countries," "a fellow of infinite jest and most excellent fancy," was honourably interred by his noble friend in the resting-place of the Ratcliffes.

Richard, the second son, followed his father's way of life, and visited many countries in pursuit of commercial profit. Finally, he fixed himself at Elbing. His success in merchandize was various, but he married a lady of Elbing, possessed of some fortune, and had a numerous family. One of his sons came to England and claimed acquaintance with his uncle Sir James, then become a judge. Richard Whitelocke died at Elbing in 1624.

William, the third son, had no mind to learning, and was therefore bound apprentice; but he had other aspirations than those which could be satisfied behind a counter. When the drum beat for volunteers for the expedition to Portugal, young Whitelocke was carried away by the popular enthusiasm for Don Antonio. He left "master, thrift, and all," and followed the wars. On his return from that expedition he seemed at death's door. Maternal care restored him to unlooked-for health. On his recovery he joined himself to sir Francis Drake, and partook of the perils and adventures of the eminent sailor's closing years. When death came upon Sir Francis in the miserable cabin of his paltry ship, then beating about off the coast of America, within the tropics, William Whitelocke, as we learn from the MS. now published, was in close attendance upon his gallant master. The circumstances of his death are told here for the first time. The naval hero struggled to the last with the great conqueror. He literally expired in harness, for, when he felt that life was ebbing, he ordered young Whitelocke to "put on his

armour upon him, that he might die like a soldier!" Whitelocke did not long outlive the illustrious sailor. In a conflict at sea with the Spaniards he fell at the age of 27.

In these three sons of the young merchant we see predominant the spirit of adventure which was in their father. James Whitelocke, the fourth son, inherited the maternal qualities of steadiness and perseverance. From Merchant Taylors' school, where, like his brother Edmund, he was a pupil of Richard Mulcaster, he was elected to St. John's, Oxford. He details fully his scholastic and academical course, commemorating as his Hebrew teacher one Hopkinson, who dwelt in Grub Street, "an obscure and simple man in worldly affairs, but expert in all the left-hand tongues." "Great learned men," we are told, came to consult him in those languages, and among them no less a person than Lancelot Andrewes.

The gradual ascent of the plodding, steady youth is minutely chronicled in the following pages. He early set his mind on being a common lawyer, and in 1600 was called to the bar by the Middle Temple. Two years afterwards he married Elizabeth the eldest daughter of Edward Bulstrode, of Hedgley Bulstrode, in the county of Bucks. The marriage was respectable and happy. It made him the father of a numerous family, brought him into connection with the Crokes, the Bulstrodes, and other persons of note and name, gave object and purpose to his own aspiring views, and in every way materially advanced his prospects and position in life.

From this period his LIBER FAMELICUS becomes a register of the enlargement of his family, and his professional advancement. Every child born to him brings before us some new persons as godfathers and godmothers, whose social position and status are

duly chronicled. The particulars which are thus given, and those of a similar kind introduced throughout the book on other occasions, are often valuable aids to our knowledge of the time. In like manner every step that he takes upwards in his profession gives him an opportunity of mentioning some new person, sometimes more fully, sometimes only by an allusion, but even then with an occasional descriptive touch which is importantly characteristic.

Sir James's litigation with Sir William Pope, an unscrupulous adversary; his share in the opposition in parliament to the power claimed by king James of setting impositions on imported goods; his committal to the Fleet for some presumed anti-prerogative doings as a pleader in the Court of Chancery; the endeavour to procure his election as Recorder of London, which was foiled by the opposition of the King; and finally his readings in his inn of court, his serjeantship and his judgeships: these are the events which sir James has recorded at greatest length.

The case of Impositions was one of the highest constitutional importance. The currants of commerce were subjected by statute to a customs duty upon importation of two shillings and six pence per hundredweight. The King, of his own authority, "imposed" an additional duty of five shillings. Bates, a Levant merchant, contested the validity of the new duty, or "imposition," but it was confirmed in the court of Exchequer on grounds which laid all commerce at the sovereign's mercy. "The sea ports," it was declared, "are the King's gates, and he may open or shut them to whom he pleases."* The question being brought before parliament, the

* Reports of Bates's case, and the proceedings to which it gave rise, will be found in Howell's State Trials, i. 371.

government rested its defence on the decision of the Exchequer. Whitelocke claims to himself the honour of having been the first, and at first the only, person to call in question the validity of the Exchequer decision. He not only spoke but wrote against it. (p. 24.)

Such opposition to the court made Whitelocke a marked man. His conduct as a practising barrister was jealously scrutinised. The lord chancellor snubbed and checked him, taunted him, and sneered at him, in open court. Offence was found in his conduct in a cause instituted by Ralph Brooke, the York Herald, against Henry St. George, Bluemantle, and also in an opinion given to Sir Robert Mansell against the validity of a royal commission relating to the navy. Whitelocke was summoned before the council, and committed to the Fleet. After twenty-six days' confinement, he penned a submission, which was moulded into courtly form by Bacon, then attorney-general, and made to conclude with a passage of high-flown flattery of prerogative derived from Tacitus. The King was captivated. He was caught on two of his weakest points, his absolutism and his pedantry, and the uncourtly lawyer was set at liberty. The narrative of this circumstance in the book now published is exceedingly imperfect. Sir James knew himself to be writing under the domination, if not under the eye, of a power which aimed at the suppression of all investigation into its own origin and limits; he was surrounded by the sycophantic agents of such a power, and felt it unsafe even to commit to paper the "passages of his trouble." One portion of the charge against him related to a royal commission for redressing, as it was termed, the abuses in the navy, which commission sir James had advised sir Robert Mansell was contrary to law. This is only slightly alluded to. Bacon's speech on this

occasion is printed in his Works, and in Howell's State Trials (ii. 766) —on the latter occasion with some valuable observations by the editor—but after all we learn little of the real facts. To supply them, as far as possible, I have printed as an appendix, from a manuscript in the State Paper Office, a copy of the entry relating to this business which appears on the register of the privy council. Sir James's account is timid and incomplete, that of Bacon and the entry of the privy council are coloured and *ex parte*, but, among them, an historian will not fail to discover the truth.

Whitelocke's commitment took place in 1613. In the year following the House of Commons was again assembled, and resumed the consideration of the question of Impositions. The practice of former ages and sovereigns was carefully investigated, and the House prepared to vindicate its opposition by argument and record. An important part in the great discussion was assigned to Whitelocke. (p. 42.) The result is briefly told in these pages. The parliament was dissolved, and the members who had been appointed to conduct the meditated discussion were summoned to appear before the council with their notes and arguments. "I brought mine," says Whitelocke, "to the clerk of the council, Mr. Cottington, the same afternoon, being twenty-four sides in folio, written with my own hand, and saw them burned." The King witnessed some part of this triumph of prerogative in a characteristic way. "I saw him," remarks sir James Whitelocke, "look through an open place in the hangings, about the bigness of the palm of one's hand, all the while the lords were in with us." To have made the victory secure his majesty should have thrown into the conflagration the records from which the martyred arguments were derived.

The narrative of the proceedings between the city of London and

the King, on the desire of the citizens to elect Whitelocke as their recorder, which extends from p. 63 to p. 69, contains several noticeable incidents; Bacon's dealing with the aldermen, their interview with the King, his Majesty's notion of a free election,* his special exception of Mr., afterwards Sir Thomas, Crewe, and the bar joke of *Reminiscor* and *Memini.*

These are circumstances which have a public and general interest, but, besides these, there are in the present work many acceptable particulars relating to public men and events of that period. Sir James had little biographical talent, but he occasionally hits off a character in a few effective and sometimes even impressive words. Witness his notice of sir Henry Neville at p. 74; of sir Augustine Nichols at p. 52; of sir Humphrey May, sir Benjamin Rudyerd, and sir Lionel Cranfield. But of things of this kind the best in the book is his notice of the judicial character of sir Edward Coke. It is thus that he speaks of the great legal oracle:—"Never man was so just, so upright, free from corruption, solicitations of great men or friends, as he was. Never put counsellors that practised before him to annual pensions of money or plate to have his favour. In all causes before him the counsellor might assure his client from the danger of bribery, the secret mischief growing by wife, children, servants, chamber-motions, great or small; and the most religious and orderly man in his house that lived in our state." In another place he sums up Coke's character in these few words,—he was "the most just, honest, and uncorrupt judge that ever sate on bench."

At p. 48 we are brought to a near view of this celebrated

* "The aldermen desired to know his pleasure, whether he would not give them leave to have a free election; he answered, 'Aye,' but still pressed his commendation, which he expected they should regard." (pp. 66, 67.)

magistrate. Whitelocke rode over on a Sunday morning from Fawley Court, his residence in Buckinghamshire, to the sermon at Windsor, and there in St. George's chapel heard preach dean Field, the author of the book on The Church, and "the Field," according to Fuller's pun, "which the Lord had blessed." Nothing is recorded by Whitelocke about Dr. Field's sermon, but we are told that in the chapel Whitelocke found himself in distinguished company. In the stalls above him sat secretary Winwood, and Coke, then lord chief justice. Sermon over, each of these magnates beckoned to Whitelocke to come to him. Taking the secretary first, Whitelocke got an invitation to dinner, which he declined, having friends at home. Passing on to the chief justice, he was greeted with, "Come, Mr. Whitelocke, I will make bold with you, one of my own coat. I pray thee let me have thy company out of the church, for I am a stranger here." "So," says Whitelocke, "I led him out by the arm," and went with him to his coach in the upper court. Would he had recorded their conversation as they passed along, —Whitelocke proud of supporting the feeble footsteps of the great legal luminary, and taking to himself some share in the reverential greetings which they encountered on their way. One would like to have known whether Coke had a heart which could be stirred by the beautiful architecture, or by the extensive view, which met their gaze. Whitelocke commemorates but one item of their gossip. "I asked him," he says, "why he stayed not at the court to dinner. He told me that whilst he stood by the King at dinner he would ever be asking of him questions of that nature that he had as lief be out of the room, and that made him be as far off as he might be ever at such times." "I guess," adds the recorder of this valuable fact, "it was concerning matters of his prerogative, which the king

would take ill if he were not answered in them as he would have it." What undesigned corroborative testimony does this give to Waller's well-known anecdote of bishop Andrewes and bishop Neile.

Another anecdote of king James which is no less characteristic has become well known since first published by Mr. Basil Montagu from the present MS. in his edition of the Works of Bacon. Yelverton was made attorney-general at the time when legal offices stood, as it were, in the place of pocket-money to the favourite Buckingham. Appointments to minor offices passed entirely through his hands, and every judgeship was worth to him several thousand pounds. In an unguarded moment, and without consulting his favourite, the king, apparently anxious to get rid of solicitation (for when an office of any worth was vacant, James was worried out of his life by all kinds of applications for it) declared his intention to appoint Yelverton, who was then solicitor-general. Buckingham did not object to the man, nor, probably, would he have objected to any other man, but he wanted his accustomed fee, and made it apparent that he did so. For sometime it seemed doubtful whether Yelverton would hold his ground. Ultimately the prudent lawyer foiled the favourite by a course of passive resistance, which is related in full in the present volume. When the matter had been absolutely settled, Yelverton waited on the king privately, thanked him for the appointment, dwelt largely on its freeness, and added that, out of duty, he had brought the king 4,000*l.* as a token of gratitude. James was bewildered with delight; he clasped his attorney-general in his arms, thanked him profusely for his welcome offering, told him that he needed it, that "it must serve to buy him dishes," and hurried Yelverton off, probably lest Buckingham should make his appearance, to pay the money to the keeper of the privy purse.

To anecdotes of this kind, of which there are several others in the book, must be added many particulars respecting those curious old practices—ceremonial, hospitable, educational—once common in the Inns of Court, I mean the readings. Whitelocke minutely details the proceedings of these notable assemblies, as practised in the Middle Temple, from the meeting in Tothill Fields, where the reader and the ancients were met by the Dean of Westminster, and played their game of bowls "according to ancient custom," to the high mysteries performed by the reader and his cupboard-men;[a] and the wonderful feasting, and the noble guests, and the "special achates", and the grand presents, and the splendid delicacies, and what it all cost, even to a penny. These things have long properly died out. Unsuited to the taste and genius of Englishmen of the present day, they seem to us to have been grotesque and almost foolish festivals. What was good in them we now arrive at in other ways. But they formed a remarkable feature of the times in which Whitelocke lived, and found in him a chronicler who registered the particulars *con amore*.

Some other minute information which is contained in the MS. I have thought it better to omit; I allude to the sum-totals of his own personal expences, and the profits of his practice, stated quarter by quarter, with minuteness and accuracy, during the whole of his career from 1600, when, as we have stated, he was called to the bar. Such details soon become wearisome, and, being repeated at such frequent intervals, break in upon the little

[a] "Cupboard men—There are four, who in the reading times argue in turns the reader's case, beginning at the puisne . . . . . These four cupboard men were wont to be the four ancientest barristers of the house who were to be the two next readers of the house, and this was observed whether they purposed to be readers or not; but by an order of later time no man ought to take upon him to be a cupboard man unless he resolveth to read." Dugdale's Origines, p. 203. The passage was pointed out to me by Mr. F. C. Carrington.

continuity which is to be found in Sir James's narrative; still there are some facts in them which are worth preserving. His practice during his first term produced him 5*l.* 3*s.* 8*d.*; during his first year, 39*l.* 3*s.* 7*d.* In 1604, when he married, his practice produced 188*l.* 6*s.* 8*d.*, and that year his expenses amounted to 162*l.* 1*s.* 11*d.* In 1605 he first made more than 200*l.* by his practice; in 1607 more than 300*l.*; in 1608 more than 400*l.*; in 1612 more than 500*l.*; his expenses had now mounted to 389*l.* In 1615 his practice first yielded more than 600*l.*, and his expenses amounted to 439*l.* In 1619, the year of his readership, his professional receipts were 622*l.*, his expences 985*l.* In the year following he took his degree of sergeant, which cost, as will be seen at p. 84, 207*l.* 6*s.* 11*d.*, besides the customary gift of 600*l.* (see p. 44.), and his knighthood, which cost (see p. 84) 44*l.* 17*s.* 8*d.* These great incidents, with the expenses connected with them, mounted his outgoings during that year to 2,055*l.* 4*s.* 5*d.*, whilst his practice yielded but 600*l.* 4*s.* 1*d.* Much of his income as a judge was made up of fees. The total ran from 900*l.* to about 1,000*l.* The income from the Welsh judgeship, which was his first appointment, was much about the same as that from his subsequent seat in the King's Bench.

We learn from his notes that he laid out in purchases of land something more than 10,000*l.*, and that his chief purchase was an old mansion house termed Fawley Court, pleasantly situated on the banks of the Thames in the county of Buckingham, a short distance to the eastward of Henley-on-Thames. This, with a town mansion in Fleet Street, in the parish of St. Dunstan's,[a] were his principal places of residence.

[a] The extracts from the registers of this parish, published with much skill and judgment

Sir James's appointment to a seat in the King's Bench took place in October, 1624, during the last year of the reign of king James I. Eight years, which was the length of his tenure of office, carried him sufficiently far into the reign of Charles I. to make him, at least in appearance, a partaker in some of the unpopular acts which the judges were called upon to perform. In these difficult circumstances, his early love of constitutional freedom did not altogether forsake him. He opposed, although not so strenuously as one could have wished, the practice of the King's sending for the opinions of the judges beforehand. We are told that "he did often and highly complain against this way," and that he said "if bishop Laud went on in his way he would kindle a flame in the nation,"[a] or, as it is more fully stated in another place, that the bishop "was too full of fire, though a just and good man, and that his want of experience in state matters, and his too much zeal for the Church, and heat, if he proceeded in the way he was then in, would set this nation on fire".[b] In 1640, when the Long Parliament called in question the conduct of the judges, in refusing to release the members of parliament committed in 1629 for their opposition to the court, unless upon their finding sureties for good behaviour, the conduct of sir James was manfully defended by his son Bulstrode, as well as by Hampden and divers others. It was shewn that, like his relative judge Croke, he differed in opinion from the rest of the bench, and all who spoke upon the subject "expressed themselves with great respect and honour to his memory."[c]

One of the inconveniences of the time in which he participated

by my friend Mr. John Gough Nichols, in the Collectanea Topographica and Genealogica, vols. IV. and V., contain many entries which relate to the Whitelockes and the cognate families.

[a] Whitelocke's Memorials, ed. 1732, p. 13. [b] Ibid. p. 34.

[c] Ibid. p. 39.

was the delay in payment of the judicial salaries, consequent on an empty exchequer. During the memory of man, as sir James assures us, the judges' wages had been always paid half-yearly, at the end of Easter term and of Michaelmas term. In 1627 money was no longer forthcoming. At Michaelmas in that year, if we understand his account correctly, twelve months remained unpaid. A committee of the judges, of whom Whitelocke was one, was appointed to remonstrate with the lord treasurer, the earl of Marlborough, himself formerly a chief justice, upon the delay. They did so, and reminded him that it was provided by an express statute that the salaries of the judges were to be paid out of certain specially assigned funds, "what want there was otherwise." Milton, addressing lord Marlborough's daughter, described her father as the

> "good earl, once president
> Of England's council and her treasury,
> Who lived in both unstained with gold or fee;"—

his professional brethren, if Whitelocke be accepted as their representative, were not so civil to him. The earl received the deputation most courteously. No man could be more kind or pleasant to applicants for money. He promised to give sir Robert Pye, the clerk of the warrants, present order that the judges should be paid out of the very first moneys that came in. If sir James Whitelocke were not misinformed, the treasurer did actually give such directions *vivâ voce.* But time shewed the worthlessness of his "sleeveless" and "coming" answers. The "old dissembler," who in the courts had been nicknamed "Volpone," evidenced the accuracy of the character attributed to him, by signing written orders which effectually rendered his spoken directions unavailing. Even when money came in, the earl

desired to make its payment tell to his own personal advantage, by sending orders only to certain of the judges from whom he had borrowed money. In this way he "dallied out" all the vacation and Hilary term, when Whitelocke and two others, whose patience was exhausted, took the law into their own hands. They prepared writs to charge the suspended payments on certain funds in the possession of the clerk of the petty bag, but the lord keeper interposed and procured them their money. When the circuit approached again the lord treasurer had them at an advantage, and did not omit his opportunity of retaliation. On the last day of term preceding the assizes it was customary to advance the judges their circuit-money. At this time "not a penny was paid." The judges were consequently obliged to spend their own money in the king's service. "These monstrous enormities in the state happened" says sir James "by the crooked dealing of the treasurer." Perhaps not altogether so; the judgments of professional men upon one another are not always to be relied upon.

Long life was not vouchsafed to any of this generation of the Whitelockes. Sir James records in the present volume the death of his wife in May, 1631, in terms of affection which were afterwards inscribed by her son Bulstrode upon her monument. On the 20th of the following August sir James made his will, of which he appointed his son Bulstrode executor, and committed his only surviving unmarried daughter to the care of her already distinguished brother. The last entry in his LIBER FAMELICUS, as we have printed it, relates to the consecration of a chapel in his house of Fawley Court[a] by bishop

[a] I am reminded by Mr. W. Durrant Cooper that Fawley Court is memorable as having been one of the houses in which William III. rested on his progress from Torbay to London. He received there the declaration from the peers, who assembled on the withdrawal of James II., and an address from the Corporation of London. (Diary of Lord Rochester, ii. 224.)

was perhaps the one alluded to at p. 24, respecting the question of impositions.

An original portrait of Sir James is in the possession of his descendants. I am not aware that there is any engraved portrait of him.

J. B.

5, Upper Gloucester Street,
12 August, 1858.

LIBER FAMELICUS.

THIS book I began to write in, the 18 April 1609, anno 7 Jacobi regni sui Angliæ, et Scotiæ 42.

In it I entend to set downe memorialls for my posterity of thinges most properly concerning myself and my familye.

Oculis in solem, alis in cœlum. Motto de cognisance.*

Vive diu Whitlocke, tuis sic utere fatis
Ut referent sensus alba nec atra tuos.

JAMES WHITELOCKE.

My father RICHARD WHITELOCK was the fourthe sun of Richard Whitelock, and was born in the ancient seat of the Whitelocks, called Beeches, situate neer Okingham, a market towne in the countye of Barkes, whiche land hathe continued in our blud sithence the year of our Lord 1231; for it appeerethe by a deed in my cosen William† Whitelockes hand of Beches that Robert‡ then bishop of Salisburye, who was lord of the manor of Sunning neer Okingham, did give to William de la Beche, out of his purpresture§ of Bear Wood, that verye land my cosen William Whitelock now holdethe by discent from his father, and he hathe the originall

* This "motto of cognisance" refers to the arms borne by the Whitelocke family, a chevron between three falcons, or, as they are called in one pedigree, three eagles, and the crest, a like bird rising out of a tower.

† My father's elder brother's son, and heir of the family; William the eldest being ded without issue. *Note by the writer of the MS.*

‡ Robert de Bingham, bishop of Salisbury 1228—1246.

§ Inclosure.

deed of confirmation from the dean and chapter in his hand, dated at that time, and an other deed of composition made between the bishop and the said William de la Beche, dated 1247, for the improvement of the rent of the land so given.

This land continued in the name of Beches, being the manor of Beches, untill 31 Henry VI., and divers court rolles ar in the hands of my cosen William Whitelock of the Beches, in Edward III., and Edward II., and Richard II. his time, by whiche it appeerethe they were sum of them knightes.

The last male of this house was Robert de la Beche, who had only on daughter and heir called Agnes de la Beche, to whome this land near Okingham and an ancient farm of the Beches in Whitchurche in Oxfordshire, called Beches Place, wear intailed 31 Henry VI., and then soon after dyed Robert, and Agnes was maryed to John Whitelock, who, in her right, had these lands; from which John they descended by mean and lineall discents to John Whitelock, father of William Whitelock who now holdethe them as heir to his sayd father John, except sutche as William, the now tenant, hath solde to myself and others.

Thear ar among our evidences of our house, in the hands of my cosen William Whitelock, leases made by John Whitelock and the sayd Agnes, of part of these lands, in the beginning of Edward the IVth his raigne. [12 Maij, 4 E. IV.*]

A writ of restitution for John Whitelock, of the lands in Whitchurche upon a forceable entre.

This Agnes in a publique instrument doth write her self "generosa," whiche is very unusuall for that time, and for this see the deed in my cosen Whitelockes hands. [Rob. Beche gent., in a deed, 14 H. VI.; Agnes generosa, 8 H. VII.†]

Querie for a commission that came out of the Eschequer about the end of Elisabethes raigne to enquire of subtractions of rents of the manor of Sunning, which is now the enheritance of the crowne by exchange withe the bishop of Salisburye, and you shall

* Subsequently added. † The like.

finde that my cosen William Whitelock is by it charged withe the subtracting of the rent of improvement, by the composition made withe the bishop anno 1247, as lineall heir to that William de la Beche.

Observe the moderation of this family, that hathe continued thear patrimony for almost 400 yeares without encrease or diminution; it hathe been more impaired by the now owner then by all his ancetors, as I can finde by his evidences; nether do I finde that in all this time they have purchased any land, nether that they have solde anye.

My grandfather RICHARD WHITELOCK maryed a Grove; her frends dwelled at a place called Funges* in [Buckingham] shire. His father William maryed a Cowdrey. My grandfather had four suns: WILLIAM, that was brought up at Eton Colledge, and from thence went to Kinges Colledge in Cambridge, whear he was chosen Fellow, and after was Viceprovost of the colledge, and from thence was presented to the vicaradge of Prescot in the dioces of Chester, as apperethe by the letters of presentation in my hand an. 1559, in whiche he is named *viceprepositus* of the colledge and *sacræ theologiæ baccalaureus*; he had another good benefice in Middlesex, and was canon of Wells, and of Litchefeild, in whiche churche he lived for the latter part of his time altogeather, and thear dyed a single man, being neer fowerscore yeares of age at his deathe.

The second sun was JOHN, who had the land from William, first by composition, and afterward, he dying without issue, became heir, but was fayne to agree for it withe his brother William the heir. This John lived neer fowerskore yeares, and dyed miserably tormented withe the stone, above the space of a dozen whole yeares before his deathe.

His wife was the daughter of on Planer of Okingham, and by her he had many children, and left her surviving at his deathe; he was 45 year olde before he maryed, and his wife very yong; about 17 yeares of age.

His sun and heir was William Whitelock, now living, and owner of

* Probably Fingest in Buckinghamshire.

the land as heir to the family; and he maryed Ursula Beresford, daughter of George Beresford and Marye daughter of John Colte, my mother's brother, and by her hathe divers children. This George Beresford was sun to on Beresford an alderman of London. His mother did afterward marye sir John Langley sumtimes maior of London.* He had a sister maryed first to Mr. Colte of Woodwicks in Hartfordshire, my mother's cosen german, by whome she had John Colte now owner of Woodwicks, and Ursula wife first to Robert Woodford of Burnham, and now to Hughe Holland. Afterward she maryed mr. John Norris of Barkshire, now sir John Norris, by whome she had only on daughter and heir, first wife of sir Edward Norris of Englefeilde and now of vicount Fenton, [after erl of Kellye,]† a Scot, capteyne of the king's gard.

William Whitelock hathe a second brother, called John Whitelock, that is now a servant in the king's house in the waferye.

The third sun of my grandfather was HIEROM, who lived not mutche above 60 yeares. He had only on sun at the time of his deathe, called William, that was broughte up in Westminster School, and went from thence by election to Christchurche in Oxon, whear he continued untill he was maister of artes, and was afterward vicar of Sunning, prebend of Wells, and of Lichefeild, and had a competent patrimonye of lay fee from his father. He was a verye good scholer, and a good houskeeper, but lived in great torment withe the stone, of whiche he dyed little above 30 yeares of age, and left children very yong. His widow maryed John Whitelock of the waferye in the king's house.

My father, RICHARD WHITELOCK, was the fourthe and yongest sun. He was put to London to be broughte up in the trade of marchandise, and then became free of the best companyes, as of the marchant adventure[r]s, Spayne, Muskovie, and did trafique in all these countryes, and heer in England withe the Italian marchants, but used most trafique in Fraunce. He used to go in parson into foreyne countryes, and, having a purpose to leave that dangerous

* Lord Mayor in 1576. † A subsequent insertion.

course of life, was taken away by deathe in that voyage he made accoumpt shold have been his last. He went from London toward Burdeux in Fraunce, the emporium for Gascoyne wines, 22 September, 1570, and thear fell into a plurisye, 21 October next following, of whiche he dyed 7 November following, and was buryed, withe great difficultye; for, by reason that he refused extream unction and sutche popishe ceremonies in his siknesse, he was excommunicate as an heretik, and so deprived of christian buriall. But the Englishe marchants that wear then at Burdeux, to the number of a 100 or more, armed withe shot, did carye the corps into the vineyards, and thear did honorably interr it. He made his last will and testament in his siknesse, dated 30 October, 1570, and in it made my mother his executrix, who did prove it and execute it most faythefully and lovingly toward her children. The inventarye was 1221*l.* 11*s.* 7*d.* He was but 37 yeares of age when he dyed, as appeerethe by his picture, whiche was made 1563, and then he was 30 year olde, and he died in anno 1570. I have noted his gravitye by his picture, for, being then but 30 year olde, he ware a cap, a verye smale ruffe withe black work, a side coat of fine black clothe, a black satten dubblet, and a Spanishe cape of fine black clothe, furred and edged withe pinked satten, and long stokkins. This apparell now wolde be thoughte overgrave in an elder by ten yeares.

My father left four suns: EDMUND, born 10 February, 1564, in the parishe of Fanchurche in London; RICHARDE born thear 28 December, 1565; WILLIAM and JAMES gemini, William the elder, and they wear posthumi, for they wear born 28 November, 1570, 21 dayes after the deathe of thear father, in a great house in Thems Street over against the Bear Key in the parishe of St. Dunstan's in the Est, London, whear thear father then dwelled. My mother was maryed to my father 7 February, 1563, anno 6 Elizabethæ Reginæ. She was the widow of on BROKHURST, a marchant in London, that dealt withe the Italians for kersies and fine clothes. Her husband Brockhurst had but on daughter by her, and father and daughter bothe wear taken away withe the great plauge in London in the

fift year of queen Elizabethe; and leaving his widow of competent estate, she maryed afterward my father, he being yonger then she, and of no great meanes, but civill, and likely to thrive. My mother being a widow maryed THOMAS PRICE, a marchant of London, that had by her only on sun named George, now living, who was born anno domini , the day of , in the year of the raigne of queen Elizabethe.

This Thomas Price proved a notable unthrift, and a verye unkinde and insolent husband, so as my mother, being destitute of frendes, had these burdens lay upon her, the care to avoyd dayly wrongs to herself from her husband, to preserve those portions that wear left her children, and to finde meanes to bring them up in lerning and civility; and by her extraordinarye providence and patience did effect it, that she preserved in the handes of the city as orphans' goods 600*l.*, for her fower suns everye of them 150*l.*, and by meanes underhand bought out the interest of her husband in certeyne leases he had by her, helde of the parishe of St. Dunstan's in the Est, whiche, above the rent, proved worthe neer 50*l.* the year, and wear for the term of 50 yeares and above; and by sutche care and admirable wisdom, almost not to be looked for in on of her sex so afflicted withe the dayly miseries wroughte to her from her husband, did bring up all her children in as good sort as any gentleman in England wulde do, as in singing, dancing, playing on the lute and other instruments, the Latin, Greek, Hebrew, and Frenche tongues, and to write fair; everye on of them to that he was likelyest to do good in, but all wear by her appoynted and directed to the best course, that is, of lerning, and to have been professed scholers, but sum toke on way sum an other, yet she still persisted her care in continuing them in this costly education, at sutche times as she was not only dayly robbed and pilled by her cruell and wastfull husband, but was most miserably afflicted in the law, by sutes in Chancerye and other courtes concerning that smale stay she had of the churche leases. And after she had broughte up all her children to man's estate, and buryed her unthriftye and unkinde

husband, she solde these leases for a competent sum of money, and, reserving a rent to herself for her life, did distribute the rest among her suns, and so, after many trobles, did passe the latter end of her dayes in peace, contentment, and great devotion.

My mother was the daughter of JOHN COLTE, and was born at Little Mundan in Hartfordshire in the lordship thear, her father being tenant of it, who had helde it long, and his ancetors before him, as tenants to the ladye Bourchier, heir of the house of Essex, and her ancetors.

Her mother was ANDREWES, born in Hartfordshire, and her brother's sun and heir is SIR WILLIAM ANDREWES, that was highe shirife of Buckinghamshire 5° Jacobi. My mother and he wear brother and sister's children, and of verye kinde acquayntance. Sir William Andrewes was brought up in Grayes In, and was a counselor of the law and practiser, and, growing into a great estate, left his taking of payne, and betoke him self to a quiet life.

My grandfather John Colte had a brother called ROBERT COLTE that was a marchant of London, whose sun was Colte of Woodwicks, father to John Colt of Woodwicks now living, and that Robert Colte was father to my cosen Sands of Windsor, widow first to on Lamson of London, then to alderman Woodcock, and now widow to Miles Sands of the Middle Temple, that was clerk of the crowne, and was brother to archbishop Sands of York.

My mother's bretheren and sisters that I knew and have issue living wear John, her eldest brother, that dyed a verye olde man, mutche above 80 yeares of age, and Thomas that dyed of the same yeares. Christopher dyed at Elbing in Prussia, and Elizabethe wife of on Fryer a marchant in London, mother to Simon Fryer now living at Elbing, and to Marye wife of Thomas Cokayne of Clapham in the countye of Surrye, gentleman, eldest brother to ritche William Cokayne of London, the marchant, shirif, and alderman.

EDMUND, my eldest brother, was broughte up at school under Mr. Richard Mulcaster, in the famous school of the Marchantaylors

in London, and from thence was sent to Cambridge to Christes colledge, whear having been well grownded in the liberall sciences, and mutche farthered in his knoledge of the Latin, Greek, and Hebrew tongs, in whiche he was well instructed in the grammer school, he left the universitye and came to Lincolnes In to study the common law, whear, having spent his time among to good cumpanions, he betoke himself to travail into foreyne kingdoms, by studye and experience to redeem his mispent time; and to that purpose toke shipping from London about Whitsuntide 1587, and having bestowed mutche time in forein universities of Rostock, Witenberg, Prage, Rome, and other places in Italy, Paris, and other universities in Fraunce, and having traversed over almost all countries in christendom, he fell into the good liking of mounsieur Desguieres, governor of Provance in Fraunce, and by him was put into the charge of a band of footmen, and in that service remayned captayne of that band at Massiles and Grenoble so long as those wars continued, and afterward came to visit his frends in England, after his absence out of the realm for the space of almost a dozen yeares, without heering of him whether he wear alive or not, and being out of hope ever to see him.

After his retorn into England, by reason of his experience in foreyne affayres, his knoledge in the tongs, and pleasant behaviour, and great libertye of his wit in his conversation, according to the Frenche fashion, he grew into great goodliking of many Englishe noblemen and gentlemen, but especially of Roger erl of Rutland,* withe whome he lived and conversed a good while, and by his acquayntance withe him fell into an infortunate mischance, for, on the 8 of February 1601, [44] Elizabeth, when the branesik meeting was of the noblemen withe the erl of Essex at Essex House, the erl of Rutland, that had maryed the daughter of the countesse of Essex by her first husband sir Philip Sydney, being sent for by the erl to cum to him, met capteyne Whitelock in the street, and toke him along withe him to Essex House, and so from thence into the towne

* Roger Manners, earl of Rutland 1588—1612.

in the foolishe mutinye, and for his being in that companye, althoughe he retorned not back to Essex House, nor made resistance withe the rest, yet he was had in sutche suspition, by reason that he was knowen to be pragmaticall and martiall, as that he was clapt up in Newgate, then sent to the Marshalsea, and from thence broughte to the King's Benche bar, to have been arraigned of highe treason, of whiche he was endited, but being broughte in to the court of King's Benche was sent back againe, and afterward by privie seal, directed to justice Gawdye, was among others committed to free custody, he to me, and others to thear frends, and so continued untill he was quite discharged, whiche was shortly after.

This miserye, thoughe it had been bothe dangerous to his life and verye damageable to himself, and to me above all his frends, yet was not it an expiation of all his calamities: for, after king James came to the crowne, in the Parliament time, when the powder treason sholde have been executed, it was his ill hap to dine togeather withe the erl of Northumberland and Persey, the principall agent in that treason, the day before it sholde have been executed, and by reason thearof grew into great suspition withe the counsell, and by them was first sent to the Tower, after to the Fleet, but, after long imprisonment, was delivered, nothing appeering by any examinations that he was acquaynted withe the businesse. After his deliverance out of prison he lived with most dependancye upon the erl of Northumberland,* and had licence to resort unto him in the Tower, after his imprisonment thear upon the censure in the Starchamber, and so passed his time in mirthe and good companye untill he dyed,

* There are several papers in the State Paper Office relating to this charge against capt. Edmund Whitelocke: see especially the letters of Timothy Elks, 1611, July 16 and Sept. 28, noticed in Mrs. Green's Calendar of the Domestic Papers of king James I. It would seem that the earl of Northumberland allowed capt. Whitelocke a pension of 40*l.*, afterwards increased to 60*l.* Among his friends are enumerated the earl of Westmerland, "who gave him money," and mr. Emerson, of Little St. Helen's, "who relieved him very often." Mr. Martin of the Temple, Inigo Jones, and sir Henry Goodyere, were also "much conversant" with him. A slight acquaintance between sir Walter Raleigh and capt. Whitelocke occasioned Raleigh to be suspected of a knowledge of the plot.

whiche was of a surfeit, by distemper of the weather, about Bartholmew tide 1608. He was then at Newhall in Essex, withe the erl of Sussex,* and fell into suche a distemper of body by the unseasonableness of the weather, being extream hot, and by his overcarelessnesse in the ordering of himself, that he was taken withe an extraordinarye loosenesse of bodye, whiche weakened him verye mutche, and upon it was let blud, and not long after went away quietly as in a slumber. He was honorably buryed by the erl of Sussex in the chappell of his ancetors, and was attended to the buryall by the erl himself.† He was well grownded in lerning, bothe philosophye and all other humanitye, and well seen in the tongs, bothe lerned and ordinarie, as the Frenche, Italian, Dutche, Spanishe, but especially in the Frenche, whiche he acted so naturally as he was taken for a Frencheman whear he was not knowen. He was exceeding pleasant in his conceit, and so good a companion that he was mutche esteemed of for that by divers great men. He was extream prodigall and wastefull in his expence, verye valiant, as was reported by those that knew his demeanor in forein countryes, and by that he did heer at home; for, in the great quarrell between the erl of Northumberland and sir Frauncis Vere,‡ he caryed the challenge from the erl to sir Frauncis into his owne lodging, and ther delivered it unto him, and having afterward herd of sum shamefull speeches given against him by the knight, meeting sir Frauncis in his coatche on morning, cumming from Wilton, whear the king lay,

* Robert Ratcliffe, earl of Sussex 1593—1629.

† The observations of sir James Whitelocke on the death, interment, and character of his brother Edmund, are singularly borne out by a letter of Dudley Carleton, dated 20 Sept., 1608, to a knowledge of which I have been led by Mrs. Green's Calendar of the Domestic Papers of James I. in the State Paper Office. The letter is addressed to John Chamberlain. "All the newes," the writer remarks, "I have for you is, that capt. Whitlock, in this miserable time, *morari inter homines desiit*, who is so lamented by all bon companions as yf the world had not bin worthy of him. His death was sodaine, as were all the actions of his life, and as he livde amongst lords, so was he buried in a vault amongst my lord of Sussex' ancestors, at whose house he died."

‡ The particulars of the "great quarrel" alluded to are printed in the old editions of Collins's Peerage: see vol. v. p. 428, edit. 1768.

unto Salisburye, he stayed his coatche, and came to the side of it, and provoked sir Frauncis to fighte withe him, but he answeared he was not provided for sutche a businesse. Thearupon the capteyne drew out his sword, and offered it to sir Frauncis, and tolde him he wolde furnishe him, and toke another from his boy, but the sage knight put him of, and was content to part rather withe a disgracefull word then a blow, but thes being herd of at the court, warrants wear sent out for him by the counsell, so that he was fayne for a good while to hide himself; and this was in Michaelmas term 1° Jacobi, when by reason of the siknesse the term was kept at Winchester.

RICHARD, my second brother, was sent over sea, being about the age of sixteen yeares, unto Christopher Colte, my mother's brother, to Dansk, and lived withe him in travail in those estern countries untill he came to man's estate; and afterward maryed a gentlewoman of that countrye, on Katharin Dambits, by whome he hathe many children. He hathe tasted of many varieties of fortune, sumtime good and sumtime bad, and hathe travayled over many countries, and by the uncerteynty of trafique hathe susteyned great losses in his estate. By reason that his wife had a good patrimony of land by enheritance from her father, he abidethe at Elbing and those partes, whear she was born and her land lyethe.

WILLIAM, that was the elder born of us two, was broughte up withe the rest in lerning, but had no minde to it, and therfore was bound apprentice to a marchant in London, but when the Portugall voyage was undertaken, he left maister and thrift and all, and put himself into the action, and so fell from that civill course to a martiall life. He was brought up from shipbord, at his return, in a sheet, he was so extream weak, and did hardly recover again by my mother's great tendernesse of him, and, when he was well againe, followed the warrs altogeather.

He served sir Frauncis Drake in his chamber, and followed him to the Groin, and his other sea voyages, and behaved himself verye valiantly, to the goodliking of his maister, and so continued in his

service untill sir Frauncis dyed at sea, at whiche time he was neerest about him, and put on his armor upon him a little before his deathe, whiche he wolde have doon, that he might dy like a soldiour. Sir Frauncis gave him divers ritche legacies of plate and jewells at his deathe, but he was ransaked of all by the brother of sir Frauncis, and by meer wrong barred from his maister's bountye. He followed that course of life, untill at the last, going forthe in a ship of war from London to the Indian seas, he lost his life in a conflict withe the Spanyards. He was a verye tall young man, strong of body, flaxen hear, fair of complexion, exceeding wastfull in expence, and carelesse of all worldly matters that tended to thrift. He was about the age of 27 yeares olde when he dyed.

I was brought up at school under mr. Mulcaster, in the famous school of the Marchantaylors in London, whear I continued untill I was well instructed in the Hebrew, Greek, and Latin tongs. His care was also to encreas my skill in musique, in whiche I was brought up by dayly exercise in it, as in singing and playing upon instruments, and yeerly he presented sum playes to the court, in whiche his scholers wear only actors, and I on among them, and by that meanes taughte them good behaviour and audacitye. I was elected from the school to be probationer of St. John's Colledge in Oxon, 11 Junij, 1588, mr. Frauncis Willis being then president of the colledge, but the electors of the colledge then present wear, Raphe Ruvens, then master of art and vice-president of the colledge, and John Perin, then master of art and also a senior fellow, now doctor of divinitye, and the last Greek reader of Oxon; the third was William Dixon, that sithence died a beneficed man in Kent.

Thear was chosen withe me, at that time, out of the school, George Wrighte, sun of Thomas Wrighte of London, vintener, that dwelt at the Bore's Hed in Estcheap, who sithence, having good enheritance descended to him, is now clerk of the king's stable and a knighte, a verye discreet and honest gentleman.

That summer after was the terrible shew of the sea armada from Spayne, whiche was a little distemper to the quiet course of

studyes, the countryes being all up in armes. My tutor was Rowland Searchfeild,* then a yong bachelor of arts, now a doctor of divinitye [afterward bishop of Bristoll †]. I continued the study of logique and the artes, but above all of historye; in whiche I toke great delite, and especially in Titus Livius, in whome I was verye perfect, and labored mutche in the Hebrew and Greek tongs, for I had herd a reader of the Hebrew tong at London that was reputed the famosest in that language about the towne. His name was Hopkinson, he dwelt in Grub Street, an obscure and simple man for worldly affayres, but expert in all the lefthand tongs, as Hebrew, Chaldean, Syrian, Arabian, and writ them verye fair: he had at that time great lerned men that consulted him in those languages, and especially dr. Andrews that is now bishop of Chichester.‡

He red unto me all Jobe, and twenty Psalmes, and a part of Genesis, and after I had taken my lecture from him, whiche was after five of the clok that I went from school, I wolde duly, after supper, make a praxis of that I had herd, and set it downe in writing; by reason whearof, the winter before my going to Oxon, I sate up duly everye nighte untill 12 of the clok or verye neer, and this brought me into a dangerous disease in my legs, so that I had ten or twelve issues running on them continually, whiche made me verye faint, insomutche that I sholde fall in qualmes verye often; but before my going to Oxon, I was let blud and cured, and thear withe violent exercise kept my full bodye, and growing humours, in low state.

I red Aristotle in Greek, and spent my time diligently in logique and the artes. I was bound to study, by the order of the house, untill November, 1589, and then upon the resignation of on mr. Roger Web, a fellow of the colledge and a bachelor of the law, I was admitted into his place of a civilian, and so made a fellow of the colledge.

My minde had a farther reatche, for I ever had a purpose to ayme

* Rowland Searchfield, vicar of Charlbury, co. Oxford, bishop of Bristol 1619—1622.

† Subsequently inserted. ‡ Lancelot Andrewes, bishop of Chichester 1605—1609.

at the study of the common law. My owne observation, and the experience of my mother, of the best courses, perswaded me to draw that way as conveniently as I coulde, and therfore began to joyne the study of the common law withe the civill, being encoraged mutche thearunto by a book set out by dr. Cosins, the dean of the arches, intituled, "An apologye of the ecclesiastical proceedings,"* in whiche I saw how great use he made of his knoledge of the common law to upholde the authority of his owne profession, and to direct others of his place.

My only exercise of body I used, was hunting of the hare on foot, whiche I used very labouriously, but never so as that I detracted my times of study or scholasticall exercises by it.

My purpose so succeeded withe me as that I became admitted into New In in Michaelmas term 1590, and went into commons thear for a while, but was not knowen to any of the colledge to intend any sutche course, for, out of the term at London, I kept the colledge, and my exercises thear, as I had doon before.

I was admitted of the Middle Temple 2° Martii 1592, and kept in commons from that time, at all sutche times as I coulde have dayes, by ordinarye licence, by grace, or for furthering of the colledge businesse, to be absent from thence.

Keeping thus by turnes in bothe places, I did my exercise in the divinity school, for my degree of bachelar of the civill law, in Lent 1594, togeather withe mr. Thomas May and on mr. Wood, a fellow of Allsoules, and I was presented bachelor of law, togeather withe mr. Thomas May, by Albericus Gentilis,† regius professor in law, at Midsummer 1594.

I held my colledge still, but almost altogeather in commons at London, for the president that then was, mr. Raphe Huchenson, that succeeded doctor Willis, was willing to allow me dayes in the colledge behalf, to dispatche them of thear businesses and chargeable

* London, 4to. 1593.

† Doctor of civil law of the university of Perugia, incorporated at Oxford 6 March, 1581. Wood's Fasti, i. 217.

journeys to London; and so I kept my fellowship untill the colledge thought fit I sholde make a place voyd, whiche was at the election 11 Junij, 1598. About two yeares after, that was in August 1600, I was called to the bar by mr. Nicolas Overbury of Glocestershire, then reader.

At Michaelmas 1601 the colledge of St. John in Oxon bestowed on me the stewardship of thear lands, and mr. Hierom Nashe then left it.

9 September, 1602, at Beconsfield, in the countye of Buckingham, I maryed Elizabethe Bulstrode, eldest daughter of Edward Bulstrode esquier, who was then ded, and of Cecill his wife, daughter of olde mr. Croke of Chilton, afterward sir John Croke, and I hade withe her a competent portion, as in the deeds of our mariage ar expressed. She was born at Hugley Bulstrodes, in the countye of Buckingham, the last of July 1575; so she was 27 year olde, and I within two monethe of 32, when we wear maryed. Her father dyed about seven yeares before. He lived in good creadit in his countrye, and had been highe shirif thearof, and long in commission of the peace. His ancetors had been of verye ancient continuance in Buckinghamshire, and born the best and most worshipfull offices in the countrye.

actually 1599

I had of my mother in law for portion 500*l.* in ready money, my wife verye well appareled and furnished withe jewells, as withe the border she now hathe, and other good ons beside, and I had my bord gratis on year and an half; see the covenants of mariage.

ELIZABETHE, my eldest childe, was born at Beconsfeild, in the countye of Buckingham, 6 October, 1603, and was christened thear. Her godfather was mr. George Croke of the Inner Temple; her godmothers, my wife's grandmother the olde lady Croke, who gave her her owne name, and my wife's mother mistress Cecill Bowstred.

BULSTRODE WHITELOCK, my sun, was born in Fleet Street house, 6 August, 1605, and was christened thear in St. Dunstan's churche.*

* "Aug. 19. Bulstrode son of James Whitelocke gentleman." Register of St. Dunstan's, in Collectanea Topogr. et Geneal. v. 369.

His godfathers wear mr. Henry Bulstrode of Hedgely Bulstrodes, my wife's eldest brother, and Capteyn Whitelock, my brother; his godmother was my owne mother. He was christned 19 August, 1605.

MARYE, my daughter, was born at Hedgely Bulstrodes, in Buckinghamshire, 6 October, 1606, and was christned in the chappell thear, 16 October following. Her godfather was mr. John Buckridge, doctor of divinity, president of St. John's Colledge in Oxon, archdeacon of Northampton, canon of Windsor, prebend of Hereford, and vicar of St. Giles in London, my ancient frend and collegue in St. John's colledge in Oxon;* her godmothers wear my brother Bulstrode's wife, that was mr. Thomas Reade's daughter of Barkshire, and An Bulstrode, my wife's sister.

I was made Recorder of Woodstock 1 Augusti, 1606.

On the 21st of February, 1606, 4 Jacobi, dyed my kinde, godly and loving mother, having lived a goodly time; the certeyn number of yeares she could not tell, but herself and her kindred reconed her neer fourskore. She overlived all her bretheren and sisters, saving on, that was Thomas, who was elder than she, and lay sik when she died, ether comforting other withe messages of thear desire to depart. She went away even withe olde age as a candle that goethe out. She did breake mutch the beginning of winter, and so drooped untill she toke her bed, whiche was about a monethe before she dyed. She toke her leave divers times of me and the rest, expecting to dy that nighte, but it pleased God to continue her longer than she expected, and she departed about 2 of the clock in the after noon, and I was withe her about 12. She had her senses and memorye to the last gasp, and was full of spirit and comfort among her children, and she often remembred herself on her deathe bed to my wife and children, whome she loved most deerly. She was buryed in Aldermarye churche, in the chauncell thear, 25 February. She dyed in that parishe, and thear preached at her funerall doctor John Done, the parson, that had been my acquayntance when he was of Christchurche in Oxford.

* Afterwards bishop of Rochester 1610—1628, and of Ely 1628—1631.

CECILL, MY DAUGHTER, was born in Fleet Street house, 10 Martij, 1607, 5 Jacobi. She was christened in St. Dunstan's churche, 26 Martij, being Ester even. Her godfather was sir John Harrington, knighte of the bathe, sun and heir to the lord Harrington, and on of the prince's gentlemen ordinarye; her godmothers, my wife's sisters Cecill and Dorothy Bulstrodd, gentlewomen of the queen's bed chamber. /'08

In June 1608, my mother in law, mrs. Cecill Bulstrod, maryed sir John Browne, of Flamberds in Essex. He is descended of Browne that was maior of London in Edward the 4. his raigne.

The 7 day of Februarye 1608, dyed at London, HENRY CROKE, my wife's unckle; he was judge of the maior's court, in London, and on of the commissioners for fines for alienations. /'09

The 10 day of Februar. 1608, dyed at Chilton in Buckinghamshire SIR JOHN CROKE, my wife's grandfather. He was the first sheriff of Buckinghamshire after the statute. His father was on of the six clerkes when cardinal Woolsey was chancelor, and on of the first that was maryed after the statute made for enabling them to marye. He, sir John, was born anno 1531, 4 Junii, 23 Henry VIII., so when he dyed he was 77 year olde and 8 monethes and od dayes. He left behinde him Elizabethe his wife, who had lived withe him in matrimonye since May 1553, whiche was almost fifty-six yeares. She was the daughter of sir Alexander Unton of Barkshire, and sister to sir Edward Unton. /'09

Old mr. Croke, the father of sir John, was on of the maisters of the chancery when he dyed, as appeerethe by his tomb in Chilton churche; he was buryed a° 1554.

The mother of the olde lady was Cecill Bowstred, daughter of Edward Bowstred, father of George, father of Thomas, father of Edward my wife's father, and was a mayd of honor to Katherin first wife of Henry VIII., and by that means was maryed to sir Alexander Unton of Barkshire, who had good favour and benefit by the matche. She lyethe buryed at Farington in Barkshire. After the deathe of sir Alexander she maryed mr. Keylway, surveyor of the Court of Wardes, by whome she had the lord Harington's wife.

An Bowstred, my wife's sister, 24 Junij 1609, at Hedgely Bulstrodes, was maryed to John Searl of Lincoln's In, esquier and counselor at law. Then he dwelt in the towne of Southampton. He had 500*l.* in money withe her, and 40*l.* toward her apparell, and made her a 100*l.* the year joynture.

Cecill Bulstrode, my wife's sister, gentlewoman to queen An, ordinarye of her bedchamber, dyed at Twitnam in Middlesex, the erl of Bedford's house, 4 August 1609.

Joan Whitelock my fourthe daughter was born at Hedgely Bulstrodes, the 6 of August 1609, and christined in the chappell thear upon Fryday the eighteenthe day of the same monethe. Her godfather was my brother Searl; her godmothers, Eliza, wife of sir John Tirrell, of Heron in the countye of Essex, knighte, and sister to my wife's mother; the other godmother was mrs. Elizabeth Waller of Beconsfeild, widow.* I was desirous to have her named Joan, in memorye of my good and kinde mother, who had that name.

The 6 day of December 1609, anno 7 Jacobi Regis, I was made steward of Eton Colledge by Windsor, and the same day the provost and fellowes did appoynt me to be thear counsell for the colledge, and for that to have 4*l.* annuity by the year, besides the fees in my patent for the stewardship. These places became voyd in the colledge by the departure of mr. Denham into Ireland. This mr. John Denham was a reader in Lincolnes In, and, being a man verye well thought of for his lerning and discretion, in Ester term, 7 Jacobi, was made sergeant at law and knighted, and so sent cheef baron into Ireland. He succeeded in these places in Eton Colledge mr. Richard Tredway, that was a doble reader in the Inner Temple.

The meanes I had to cum by these places was only the goodwill of sir Henrye Savill, the provost, towards me, who sent unto me to cum to him, and tolde me he had had many sutors for it, but had kept it for me. I never spake word to him, or any man else, of it before.

* Grandmother of the poet.

My unkle George Croke was admitted of the Inner Temple, Hilary, 17 Elizabeth; was called to the bar, Hilary, 26 Elizabeth.

Memorandum, that the 9 of February 1609, being the first day of the session of Parliament, I was retorned burgesse for the borroughe of Woodstock, in the countye of Oxford, in the place of sir Richard Lea, brother of sir Henrye Lea, that dyed burgesse. It was ever usual with them to elect thear recorders burgeses; but, my lord cheef barron being recorder thear when he was sergeant at law, was chosen knighte of the shire, and by reason thearof sir Richard Lea and mr. Thomas Spencer, sun and heir of sir William Spencer of Yarnton in Oxfordshire, wear chosen burgeses. 1610

JOAN, my yongest daughter, dyed at Beconsfeild the 8 of May 1610, and was buryed in the churche thear.

The seventh day of May 1610, I was by patent made joynt steward with Lewes Prowd of Lincolns In esquier, of the lands and possessions of Westminster Colledge, and joynt grantee of the yearly fee of 10*l.* between us. I came in by the surrender of Gosnoll of the Middle Temple, and by the favour and frendship of doctor Richard Neel, bishop of Rochester, and dean of the colledge of Westminster [elect of Litchefeild].*

My verye good frend mr. justice Williams was removed out of Oxfordshire circuit, whear I had followed him sithence his first cumming into it, whiche was in Lent 1° et 2° Jacobi, the second Lent of the king's raigne, and the next Lent after his being made a judge, whiche was the last day of Hilary term 1° Jacobi, and he was joyned withe the lord Cook in the Norfolk circuit, and into the Oxford circuit was sent in his place sir John Croke, on of the justices of the King's Benche, brother to my wife's mother. [This summer assises 1610 and Lent following, and then justice Williams came back, and justice Croke went into Norfolk†.]

* The words within brackets were inserted afterwards. Dr. Neile was successively bishop of Rochester, 1608-10; of Lichfield and Coventry, 1610-1613; of Lincoln, 1613-1617; of Durham, 1617-1627; of Winchester, 1627-1632; of York 1632-1640.

† Inserted afterwards.

My daughter Dorothye was born in my house in Fleet Street, in the parishe of St. Dunstan's in the West, the 15 day of September 1610, in the 8 year of the raigne of king James. The christning was appoynted to have been the second of October following, and godfather was invited mr. Humfrey May, on of the groomes of the king's privie chamber; godmothers the lady Wrighte, widow of sir Robert Wrighte, and mrs. Marye Croke, wife of mr. George Croke, my wife's unckle. The childe was a verye strong childe, likely to have lived, but was trobled withe an extream stuffing of fleam, having caughte a colde, as it was judged, in the verye birthe, her mother having a long and difficult deliverye, in so mutche as, upon Sunday morning, about 7 of the clock, being the last day of September, fearing it mighte dye before we wear aware, seing a great change in it, and desirous to have it christened before it shold go out of the worlde, I did desire mr. Richard Martin of the Middle Temple to undergoe the place of a deputy for mr. May, and mrs. Croke, widow of mr. Henry Croke, to be deputy for my ladye Wrighte, and so, withe the presence of mr. George Croke's wife, the other godmother, I cawsed it to be christened by the minister, in my house, 30 September 1610, at 7 of the clok in the morning. The childe languished and dyed the same day between on and two of the clok in the afternoon, and was buryed on Monday the first of October following, in St Dunstan's churche, and so God toke her to his immediate provision, that if she had lived in this worlde mighte after many yeares have been farther from the assurednesse of eternall happinesse.

I gave her the name of Dorothy for the respect I had of her godmother, the lady Wrighte, whose name was Dorothye. She was first the widow of mr. Francis Ham[?] a pensioner, and was then maryed to Robert Wrighte who was tutor to the erl of Essex, last attainted, and continued withe him in service untill he was preferred by him to be clerk to the stable to queen Elizabethe, the erl being then maister of the horse. After the king came to the crowne he was knighted by him, and so lived and dyed a grave

and sober man, meanly born in Shrewsbury, but attayned by his virtue to good estate and quality. She had no issue by ether husband.

Mr. George Croke's wife was MARYE BENNET, on of the daughters of sir Thomas Bennet, late maior of London. She was maryed to mr. George Croke, being an ancient bachelor, withein a year or thearabouts of 50, and she under 20 yeares of age. This fel out unexspected to his frendes, that had conceaved a purpose in him never to have maryed.

MR. HUMFREY MAY was the sun of mr. Richard May, a worshipfull citisen of London, and my acquayntance began withe him in St. John's Colledge in Oxon, at my first being thear, anno 1588. I came in June, and he in September following, and from that time we continued good frendes untill we came chamberfellowes to the Middle Temple, and lived so togeather manye yeares, he being a towardly student, and a principal reveller. At the lord Mountjoy's going into Ireland, doctor Latewar and he went over in ordinary withe the baron, and so lived thear withe him untill the baron returned. After the king came to the crown, and the lord Mountjoy was created erl of Devonshire, and made a principal counselor, mr. May got into the place of a grome of the privie chamber, by buying out a Skot that had it.

Gawen Champineys, my first clerk that I had, came to me at Whitsuntide, 40 Elizabethe.

Anthonye Bull came to me in Hilary term, 45 Elizabethe, 1602; the term before the deathe of good queen Elizabethe.

John Griffin, my servant, came unto me at Michaelmas 1606. [Went from me at Midsummer 1613, *sed rediit statim.**]

Richard Oakly came unto me, Trinity term 1609.

I was possessed of a farm in Oxfordshire, neer Witney, whiche I bought of on Richard Brian; thear being 7 yeares to cum in my estate of an olde lease made by sir Thomas Pope in Henry the 8 raigne, the reversion being in SIR WILLIAM POPE, of Wroxton, in com. Oxon. when I boughte it, whiche was in Trinity term, 4

* Added subsequently.

Jacobi. And having a great liberty to cut woods by my lease, I made offer of it to sir William Pope, and referred it to mr. Thomas Chamberleyn of Grayes In, being of his counsell, to arbitrate what I shold have, and he made an end and agrement between us, by whiche sir William Pope shold have had all my interest in the thing, during the term, at an improved rent; but the gentleman skorned it and me, and therfore, in Lent following, I cawsed about 1,200 trees of olde growethe to be cut down in a coppice called Coggs Coppice, whiche I had no sooner doon but sir William Pope took possession of the wood by force, entrenched up the gates, kept thear a garrison, and committed many outrages, as by the proceedings in court dothe appeer. '07

At summer assises following, whiche was 5 Jacobi, divers actions wear brought downe against me and those that had boughte the wood of me, to be tryed at Oxford assises, but the knighte durst not proceed in any of them. '07

I gave information to the justices of assise, in the open assises, of the outrages had been committed by sir William in the woods kept from me by force, and of his contempts to the justices of assises' warrant, for whiche misdemenors, he was commanded of from the benche, sitting next to the lord Say, to the custody of the shirif, untill he found security by recognisance, himself in 500*l.*, to bring forthe sum of the rioters he had set on work. I remember when he arrose up in his place upon the benche, making accoumpt to answear the accusation, thear as he stood, he was commanded by the court to go to the bar, and justice Yelverton told him he was fitter to leade the rebells in Northampton, (whiche lately before had * been in commotion,) then to sit thear as a justice of peace. Thear was great speaking and talking over all the countrye, of this noble and stout peece of justice, shewed by these worthy judges, sir David Williams and sir Christopher Yelverton, justices of assise.

The force was removed by the order of the justices, but they wear no sooner gone out of the countrye onward thear circuit, but sir

* *at* in orig.

William Pope began new mischeefes, and in my absence in the circuit, withe a replevin fetched from London, being generally *de bonis et catallis*, came to the wood withe 200 cartes, and caryed away all my wood.

Not contented withe this, he complayned to the king of mr. justice Williams, that he had unjustly disgraced him, and wrongfully imprisoned him, making farther complaynt of partiall dealing. The king required the whole body of the counsell to examin the truthe of it. They herd the matter in Michaelmas term 5 Jacobi, bothe parties being present, the judge and the knighte, and upon hearing committed the knighte withe great disgrace to the Fleet, and acquited the judge to his great honor, as by thear orderr entred in the counsell book dothe appeer. '07

The knighte molested me exceedingly withe sutes in the King's Benche, Chancerye, and Common Pleas, but did quickly lag in all of them. I preferred a bill in the Starchamber against him and his, Michaelmas term, 5 Jacobi, to whiche sum that answered began to confesse the truthe, so as mr. Chamberleyne was made a mean to take up the matter, but I had an expresse commande from the chancelor not to compound without the privity of the court. I therfore had leave of him in Trinity term, 6 Jacobi, and had an end presently after by selling of all my interest unto him. '08

My counsell in the chancerye wear mr. James Wallrond and mr. John Walter; in the Starchamber, sir Edward Philips, the king's serjeant, and mr. Walter.

This is the abstract of my troble withe that knighte, but the whole cariage of the cawse will fully appeer in the bookes of pleadings and proceeding in the severall courtes in whiche our sutes wear depending.

This SIR WILLIAM POPE came to all his land from sir Thomas Pope, elder brother to John his father, whiche sir Thomas dyed without issue, being a man of great possessions, whiche he atteyned unto by his service to Henry VIII. at the suppression and afterward in the Court of Augmentations. Sir Thomas Pope was the sun of a poor and mean man in Deddington, or Denington, in comit.

Oxon. within 4 miles of Banburye and over against Somerton, and was born thear; was brought up from a boy as a skribe and clerk by mr. John Crook, on of the six clerkes when Wolsey was chancelor, and so lived withe mr. Croke untill after the suppression. The lord Awdly made a motion to mr. Croke to help him to sum ready and expert clerk to imploy in the king's service about the suppression businesse, and mr. Crooke preferred Thomas Pope unto him, being then his houshold servant in liverye, whiche was the first true step of all his following good fortune. This mr. Croke was my wife's great-grandfather, and I have herd her grandfather sir John Croke often say, that at his christning Tho. Pope, then his father's man, caryed the bason, and sir Thomas Pope by his will gave this sir John Croke sum of his best rayment, as a token of his love unto the house and familye.

In the SESSION OF PARLIAMENT FEBRUARY 1609, the setting on of impositions by the king upon marchants' goods without assent of parliament was presented as a greevance, but it was shaken of by the king's lerned counsell upon the creadit of the judgment given in the Eschequer in the case of the currants. But this did not satisfye me, for I only opposed my self at the first to the receiting of it, and so toke hold a little. It was put of untill another time, and then I toke better hold, and at the last it came to a dispute in the house manye dayes, whether it shold be presented in poynt of right as a greevance, and it was concluded, upon full satisfaction by ancient recordes out of the Tower and Eschequer, and by many statutes. The whole proceeding is otherwise amplye related by the clerk of the parliament, and see my treatise, whearin is expressed the most alledged for the righte of the subject.

I do not entend to report any thing doon in the parliament house in this book, whiche I imploy to meaner matters, but I have among my papers the grevances exhibited, bothe spirituall and temporall. I was acquaynted only withe the temporall; thear is also bothe the king's answers, the remonstrance sent unto him by the house upon his inhibition to restreyn us to dispute his righte to impose, and

yow shall finde also, withe my argument of the impositions, the copies of all the recordes cited.

My daughter Marye dyed the 3 day of June 1611, in my house in Fleet Street, of a coughe of whiche she lay sik in great extremitye above three weekes, and was consumed by it unto nothing. She departed this life between the howers of 1 and 2 in the mourning, and was buryed in St. Dunstan's churche the 5 day of June following; she shold have been 5 yeares olde on the 6 day of October following.

Upon Midsummer day, early in the morning, dyed at Chilton, dame Elizabeth Croke, widow of sir John Croke, my wife's grandmother. She was 73 yeares of age upon the feast of the Annuntiation 1611. She gave my wife by will a salt gilt of 12 oz., and 5*l.* to my daughter Elizabeth, her goddaughter, and certeyne linnen to my wife.

An wife of John Serl, and sister to my wife, having layen long at phisik to be cured of the distraction of her minde, which held her withe a kinde of mopishenesse and a religious desperatenesse, still crying out of her sins, and shewing fear of God's judgements against her, dyed in October 1611, at the house of on Panton in Sussex, whear she lay at cure, and being broughte to more quietnesse of mynde and to hope of recoverye. She was a very modest religious gentlewoman as ever I knew any, and ever lived [a] most godly and virtuous life.

On Richard Scot that dwelled in Cluar House before me, that was to leave it at Michaelmas 1610, at whiche time his term ended and myne began, being stirred to malice bycaus he mighte not keep it, committed great wast upon two or three dayes before his term ended, for whiche I commenced a sute against him in the Eschequer chamber, in the name of Andrew Windsor, lessee for years to the king of the house wasted, and recovered, this term of St. Michael 1611, 30*l.* damages, and 10*l.* costes of sute.

Dorothy sister to my wife, that had maryed sir John Eyr, sun and heir of sir William Eyr, of Wiltshire, without consent of

frendes on either side, was this moneth of October 1611 delivered of a male childe by him, whiche was christened William, at Flamberds, the house of sir John Browne that maryed her mother. This matche, besides the blame it hathe for being made without the consent of parents, had this misfortune, that the man is on of the most dissolute, unjust, and vitious reprobates that livethe upon the face of the earthe.

I did lend unto my ancient frend MR. DOCTER BUCKRIDGE, against his consecration to the bishoprik of Rochester, whiche was in June 1611, 400*l.*, upon his own bond. He kept *in commendam* withe it the parsonage of South Fleet in Kent, the vicarage of St. Giles in London, and his place at Windsor. This I set downe to shew my love unto him, and how far from covetousnes he had lived. My good and ancient acquayntance doctor Thomson, dean of Windsor, was consecrated bishop of Gloucester at the same time, and doctor King, bishop of London from the deanrye of Christchurche in Oxon, in September following.

Upon Sunday the 17 of May 1612, 10 Jacobi, MY SUN JAMES was born in my house in Fleet Street, between the howers of three and fower in the morning. He was christened in St. Dunstan's churche, upon Munday the 25 day of May. Godfathers wear sir William Bulstrode, and mr. Humfrey May, that shold have been for Dorothye; godmother, the old lady Dorothy Wrighte, widow of sir Robert Wrighte of Richemond, clerk of the king's stable. I invited her and mr. May bycaus they had bespoken sutche an office, and it was intended to them at the christning of my last childe, but bycaus she dyed so soon they could not then perform it; *vide* p. 20. Mr. Humfrey May at this time had given over his place of groome of the privie chamber unto his brother Hughe May, and had gotten of the king a new office, to be agent for the kingdom of Ireland, as it wear secretarye, or referendarye, for all businesses to be had in hand by the king for the state of Ireland.

SIR WILLIAM BULSTRODE was sun and heir of Rich. Bulstrode, brother of George father of Thomas, father of Edward, father of my

wife. He maryed the widow of Charles Brook of the west countrye, that was of the lord Cobham's house, and had a good part of the possessions of that house after the attaynder of the lord Cobham and his brother. She was before the widow of on Gunston, an Essex gentleman. She was by family a Baskerville, and sister to justice Owen's wife, that was mother of Sir Roger Owen.

Upon Tuesday the 7 day of July 1612, the graunt of sir John Roper's office unto Robert Heathe of the inner house and myself passed the great seal. The conditions on whiche it was granted to us appeer in the endentures of covenant. Mr. Heathe, thoughe puisne, was named first, bycaus he was in the former patent.

Memorandum, that the mother of sir Frauncis Knowles, that was tresorer of the house to queen Elizabeth, and of her privie counsell, was daughter to Richard Bulstrode, ancetor to my wife, and this I set downe by the relation of olde mrs. Skydmore of Chilton, now living, in September 1612, who was daughter to George Bulstrode by on of the daughters of sergeant Pigot. George was sun to Edward Bulstrode, Edward sun to Richard, Richard to William, who wear thus matched. William Bulstrode maryed the daughter of William Norris of Bray, of whome is descended sir John Norris of Lawrence Waltham now living, and the lord Norris his line, as I am informed. The coat of Bulstrode is advanced in the lord Norris his house. See the inscription in the chappell of Hedgelye for this matche.

Richard Bulstrode, sun of William, was servant to Margaret wife of Henry VI., and after was controller of prince Edward's house, sun to Edward IV., as appeerethe by bills signed by him under that name, now in my brother Bulstrode's hand. I conceive that he, being a man plausible, could well tell how to change his service from queen Margaret to prince Edward, and therfore I gesse he chose the poesye now standing in the windowes at Hedgely, "Do to please" and "*Fac placere.*" See the prince's armes in the window.

Richard maryed the daughter and heir of on Knif of Buckingham-

shire, by whome he had the enheritance also of Wyot, Clopton, Thorn, being landes of good value about Horton, Colbrook, Langly, and other townes thearabouts in Bukinghamshire. Edward, sun of Richard, was esquier of the body to Henry VII., as appeerethe by a tomb stone at Upton churche in Buckinghamshire neer unto Windsor, whear he was buryed. He maryed the daughter of sir Richard Empson who was a counselor at the law of the Middle Temple, London, and was of the privie counsell to Henry VII., and was attainted by Henry VIII. for his profitable counsell to his father, and I wishe sutche counselors may never misse of sutche rewardes.

George, sun of Edward, maryed on of the daughters of Pigot of Doddersale in Buckinghamshire, sergeant at law; on other of the sisters was maryed to Catesby, father of sir William Catesbye long since deceased, out of whiche house is cum sir Lewes Tresham of Rushton, the olde lady Yelverton, lately ded, wife to justice Yelverton, the lady Pellham of Ethrop that was Dormer's widow; an other of the sisters was maryed to Ferrars of Tameworthe, of whome descendethe sir John Ferrars; an other maryed Wallop, of whome is descended sir Henrye Wallop of Hampshire. George had two other wifes, but I cannot lern any children he had by them.

Cecill Bulstrode, that was a mayd of honor to Katherin first wife of Henry VIII., was sister to this George. She was maryed to sir Alexander Unton, by whome she had sir Edward, father of sir Henrye, and Elizabeth wife of olde sir John Croke, father of justice Croke. After the deathe of sir Alexander Unton she maryed Robert Keylway surveyor of the wardes. By him she had the lord Harrington's wife.

Thomas Bulstrode, sun of George, maryed a Barker. Of her blud ar sir Anthony Barker of Sunning in Barkshire, and sir Henry Barker of Wood Eton in Oxfordshire.

Edward, sun of Thomas, maryed the daughter of sir John Croke of Chilton.

Henrye, sun of Edward, maryed the daughter of Thomas Read of Barton neer Abingdon in Barkshire. *Scriptum,* 3 *Septemb.* 1612.

Upon the 20 of August 1612, being Thursday, I and my wife went to Parlant Park, to my brother Bulstrode, and the next day, togeather withe him and his wife, we went into Essex, to visit my mother in law, whome we [did] accordingly visit at Flamberds in Essex, at the house of sir John Browne her husband, and did also visit sir John Tirrell of Heron in Essex and Elizabeth his wife, sister to my wife's mother, and retorned home to Parlant Park *ultimo Aug.*, and so home the next day to Cluar.

Upon the third day of October 1612, I was, by patent under the common seal of the dean and canons of Windsor, made thear feed counselor, withe 40*s.* the year for my life, as by the patent bearing date the same day doth appeer. Upon Munday, the 5 of October, it was sent me by the dean, docter Maxye, who succeded into that place upon the deathe of docter Giles Tomson, bishop of Glocester, who dyed about a week or two before he purposed to remove to Glocester.

The dean shewed this kindenesse unto me, upon the good he conceaved of me by the report of my good frendes sir Henrye Savill and mr. Nawnton, as he tolde me, for I was a meer stranger unto him, nether did ever see him untill I herd him preache thear after he was dean.

This term of St. Michael, 1612, I lent MY LORD HARINGTON 3,000*l.* to redeem his manor of Lobthorp, whiche was fallen into the viscount of Rochester's * hand, for the not payment of 3,000*l.* whiche sholde have been payd unto him on Allhallond day 1612, yet the viscount was contented to receave his money after the day, and convey the land to me, whiche was doon by Thomas Bennet and Walter James, to whome the land was conveyed in trust for him. I did this curtesye for my lord withe out on halfepenye worthe of rewarde, bycaus his sun dealt so kindely and nobly withe me in taking sir John Roper's office in my name unsought for.

Mr. Thomas Read, of Barton neer Abingdon, lent me toward the making of this payment a 1,000*l.*, for six monethes, *gratis*, upon my

* The favourite Carr, created viscount Rochester 25 March, 1611.

bond and my brother Bowstred's, and in recompence of this kindnesse I gave back all fees unto him. I send (*sic*) two of my owne men and three of my lord Harrington's for it, and had it broughte up, upon a spare horse, 2 December 1612.

My brother Bowstred maryed this gentleman's sister.

Upon Friday the 22 January 1612, being the day before the term, my noble and worthye frend SIR DAVID WILLIAMS knighte, on of the justices of the King's Benche, dyed of a fever at Kingston Bagpuis in the countye of Barks, his wife's joynture by her former husband mr. Latten. He was made judge the last day of Hillarye term 1603, and presently he toke me into his favour, and caryed me the circuit withe him, in whiche, by his favour, I fell into practise, and the like favour he did me in the King's Benche. He was a most true and faythfull frend, and that he shewed himself to me in the businesse between sir William Pope and myself. He dyed a man of great living and personall wealthe. I herd from him that he sholde not have been 63 year olde until 1 Martii 1612, and that he was of the same house as the lord Williams of Tame, and sir Richard Williams alias Cromwell, grandfather of sir Oliver Cromwell now living, and that his father and they wear neer kinsemen. His principall seat is Gwernenethe in Brecknockshire, and he was buryed at Brecknock, by his first wife.*

In Michaelmas term before, dyed sir Christopher Yelverton, an other judge of the King's Benche and a verye olde man†.

Memorandum, that the 29 day of June 1613, in the 11 year of the raigne of the king's maiesty, sir Robert Whitney, of Whitney in the countye of Hereford knighte, did grant unto me for my life, *pro concilio impenso et impendendo*, an annuity of 10*l.* per annum. He maryed the daughter of sir Thomas Lucye of Charlcot *in comit.* Warwick. Ewstace Whitney was his father, and his sister was the wife of sir Henrye Williams, sun and heir of justice Williams. He

* Valuable particulars respecting sir David Williams may be read in Mr. Foss's pleasant sketch of his career in the Lives of the Judges, vol. vi. p. 197.

† See Foss's Lives of the Judges, vi. 203.

is on of the ancientest gentlemen in that countye. See the deed under his hand and seal.

John Hethrington, a Cumberland man, came to me in Ester term 1613, to searve in the place of John Griffin, in my stable, who went from me bycaus he was maryed, having served me six yeares, and as mutche as from Mich. 1606. But before Mich. following I receaved again John Griffin, and put from me the other.

In August 1613, at Wormes in Germanye, dyed my honorable frend JOHN LORD HARINGTON, in his retorn from Heildelberge, whether he went in commission withe other noblemen, for the conducting of the ladye Elizabethe home. He was the sun and heir of sir James Harington, and descended from the heires males of the lord Harington's house, whose heir generall maryed to Gray marques Dorset. He was created a baron by king James. He left only on son, sir John Harington, knighte of the bathe, before spoken of. His frendship grew by the consanguinitye between his wife and mine, for the olde ladye Harington was the sole daughter and heir of Robert Keylway esquier, surveyor of the Court of Wards, and of Cecilie his wife, daughter of Edward Bulstrode of Hedgely Bulstrode and widow of sir Alexander Unton of Barkshire, and mother to Elizabeth wife of olde sir John Croke, my wife's grandfather. This nobleman was 73 year olde.

The end of Ester term 1613, dyed my verye good and kinde frend mr. Thomas Stephens, bencher of the Middle Temple, the late prince Henrye and prince Charles his attorney, and into that place came my verye good frend mr. John Walter, of the Inner Temple, a reader of great reputation.

The lord Harington sent me blackes for myself and on man, 6 October 1613; the buryall of his father was at Exton, 7 October 1613.

For my being committed to the Fleet, upon Tuesday the eighteenth day of May, *anno* 1613, the eleventh year of the king's raigne, being the morrow after Ester term, *vide* elswhear, for it is not a thing unworthye of remembrance, *infra* p. 32.

At Christmas 1613, I came to dwell in the house at Fleet Street whear mr. Walter dwelt, and upon his removing to mr. Stephens his house I came thether: my mother in law and I dwelled in it the winter after I was maryed, and divers yeares after.

Presents sent me this Christmas, 1613.

Mr. Staverton, a doe.
Sir Edw. Zouche, a doe.
Thomas Whitelocke, half of a doe.
Sir Henry Nevill of Pillingbear, a side of a doe.
Sir Frauncis Leighe, a side of a doe.
Richard Whitelocke, a keg of sturgeon.
Thomas Whitelocke, two rollers of brawne.
My mother in law, a goose pye, two rollers of brawn, a cople of rabbets, eighteen puddings.
William Whitelocke, a fat turkye.
Mr. Jones of Cluar, a chyne of pork, a goose, six puddings.
Mr. Richard Gwin, a red deer pye.
My cosen Holland, a fat swan.
Rich. Martin of Bray, a cople of capons.
Sir William Jordan, a sugar lofe.
John Whitelocke, a peece of sugar.
My mother in law againe, a roler of brawne, two capons, a turkey pye.
My ladye Tirrell, a peece of bacon.
This I set downe *inter famelica* that my sun may heerafter see these frendly kindnesses doon to me, which ar not so usual to those that ly in London as to those in the countrye, and that he may endeavour to live worthye of the like.

This Christmas, at sir Henrye Nevill's at Westminster, I renewed my acquayntance withe the worthye gentleman sir Raphe Winwood, embassador legier for the Low Countryes. He put me in mynde that he, being proctor of Oxford, presented me bachelor of the civill law. He was at that time fellow of Magdalen Colledge in Oxon.

I was informed by sir Humfrey May that the king had taken offence at my actions in parliament, in maynteyning the cause of impositions so stifly, and that I had doon good no way by it, but had hurt myself very mutche, and discovered a presage in himself

of that sum ill mighte befalle me in that respect; this he did continually inculcate unto me after the parliament ended, untill ill happened in deed.

In Ester term, 11 Jacobi, 1613, the cawse between the colledge of Westminster and the bishop of London was thrice herd in the Chancerye. Thear wear of counsell for the bishop, plaintif, mr. Frauncis More, mr. Walter, mr. Philip Gerard, mr. Thomas Crew, mr. Thomas Chamberleyn and Humfrey Price; for the colledge of Westminster wear Hobart the king's attorney, Bacon sollicitor, Randall Crew, Lewes Prowd, and myself. Thear wear assistants at the heering, besides the maister of the rolles, baron Altham and justice Croke. The churche of Westminster had had two verdicts in the Common Pleas, upon full view of the tenements by the jurye in on of them, and in an other had thear judgement affirmed on a writ of error. This notwithstanding, the chancelor had appoynted that thear sholde be a third tryall at the King's Benche bar, whiche being ready to be taken in Michaelmas term 1612, the chancelor sent an injunction to stay it, and directed the bishop to put in his bill, whiche being put in Michaelmas term 1612, the cawse came to heering in Ester term following, the bookes being 600 sheetes. This was sore against the will of the dean and chapter, for they had no other time to examin by commission, or in court, and to publishe and abbreviate, but only between Hillary term 1612 and Ester term 1613, yet by my extraordinarye paynes wear ready at the heering.

The chancelor * toke offence at me in this cawse, and shewed it by verye taunting and bitter chekkes, without any expectation of sutche enterteynment or desert, as I thoughte. But I was tolde it grew by my standing so mutche upon the trialls of law in the opening of the answear, and by the jealowsye he had of my backing and hartening the dean to stand to the cawse, whiche he desired to have been referred to arbitrement, and the dean refused bycaus he had recovered it by law.

* Lord Ellesmere.

In this cawse the injunction was granted against the dean and chapter before the bill was put in against them.

After the cawse thrice herd, the chancelor toke time to consider of it, and so it stayed quiet on bothe partes a long time.

The occasion taken of my commitment to the Fleet was in this manner.

Thear was a bill preferred in Chancerye by Raphe Brooke, York heralde of armes, againste Henry St. George, Blewmantle pursuyvant at armes, in whiche he complayned that the defendant had gathered and taken up divers sums of money amounting to 400*l.*, of divers noblemen, knightes, and others, for fees due to the heralds in generall, for instalments, funeralls, creations, titles, and the like, and that he kept them to his owne use, and denyed to give any accoumpt of them, or to show what the sums wear, and bycaus he had no meanes at the common law to finde out what the sums wear, therfore desired relief in chancerye. The defendant in his answear did first demur to the jurisdiction of the court, alledging that bycaus the parties wear officers at armes, therfore the chancerye could not holde plea between them, and that the suit ought to be before the commissioners for office of erl marshall, yet having thus demurred, went on in answere to the matter in fact, by whiche, by the course of the court, he did relinquishe his demurrer.

Frauncis More the counselor, *susurro famelicus*, made a private motion at a seal in the chancelor's house, 3 Martii, 10 Jacobi, when all men of his profession wear abroad in thear circuits, upon whiche an order was made, that the plaintif sholde shew cawse the next term whearfore the plaintif's bill sholde not be dismissed, and the cawse referred to be herd by the commissioners of the marshall's office.

This order being broughte to me in Ester term, by the plaintif, I came into the chancerye to maynteyn the jurisdiction of that court against the erls marshal, and by a motion made before the master of the rolles, upon Wednesday 28 April, 11 Jacobi, for cawse to reteyne the plea in court, shewed matter upon whiche this order was entered.

WHEAR, by an order of the third of Martche last, the plaintif was to shew cawse the first day of this term, whearfore the defendant's demurrer shold not stand, and the cawse be hence dismissed to be decreed before the lords commissioners for the office of erl marshall of England, as a matter most proper to be decreed in that court, FORASMUTCHE as this court was this day informed by mr. Whitelocke, being of the plaintif's counsell, that, albeit the defendant in the beginning did demur, whiche was insufficient, for that ther nether now is, nor never was, any sutche court as the erl marshall's court, but the court of the constable and marshall, whiche coulde only be helde at sutche time as ther was a constable, or commissioners for that office of constable, nether can the plaintif make his proofe by othe before the now lords commissioners for the office of erl marshall, yet the defendant hathe answeared over, thoughe in sum poyntes insufficiently, by whiche he hath wayved his demurrer: IT IS THERFORE ORDERED that the sayd dismission be stayed, and that if the defendant shall not shew unto the lord chancelor good cawse to the contrarye, then the defendant shall make a perfect and direct answear to the plaintif's bill.

This order being entered, the defendant by the meanes of Richard St.George his father, a heralde of armes called Norroy, a man ignorant in his vocation, but exceedinglye hautye, and yet verye weake in estate, did acquaynt the erls of Northampton and Suffolk, being principall in commission for the office, withe the order of chancerye, incensed them mutche against mr. Whitelock, as an underminer of their authority, and withstander of the king's power, and cawsed them to make a great complaynt of him to the chancelor, who apprehended it soon enoughe, and all concurred in on to take this occation, in defalt of a better, to give him an item for olde desertes.

Mr. Frauncis More of the Middle Temple, *tinea forensis,* was appoynted to move upon the order 28 Apr. 11 Jacobi, to reverse it. This purpose was prively tolde to mr. Whitelock, who, understanding therof, prepared himself to be at the bar to mayntein the cawses he alleged for the upholding the jurisdiction of the chancerye, whiche he doubted not but shold be indifferently herd. At the motion, whiche was upon the last day of Ester term, mr. More, the counsel for the defendant, cawsed the order to be red, but never offered to speake a word for the confuting of that con-

teyned in it, nether well knew what it ment. So soon as it was red the chancelor called for it, red it over to himself, then shewed it to the master of the rolles, made greate shewes of wonder at it, as if he had never seen it before, whearas he had before been fully acquaynted withe it and had resolved what to do in it. Then he began to taunt and speake bitterly against mr. Whitelocke, who, being at the bar, desired his lordship he mighte be herd, whiche being granted, he began to inform him what growndes he had for his opinion, as acts of parliament, presidents of record, use and practise, and wolde have entered into the defence of it in poynt of law, having studyed the case and being provided for it. But whatsoever he alledged the chancelor put it of withe skorn, and tolde him, "Mr. Whitelocke, these be things you may know, that ar omniscious, and know all things; for my part I nether know them nor understand them, nether can judge of them, but I will certify the king of it, and he shall be judge in it. It is to great a question for me to judge of." Then he began openly and sharply to invey against those lawyers that studyed prerogative, and by name condemned mr. Whitelocke for on of them, and taxed him in this case that he had denyed the king's power to give authority to the commissioners to keep a court.

Mr. Whitelocke desired his lordship not to take it so, for it appeered by the words of the order that he made not the question whether the king would give them power to keep a court, but whether he had by that commission given them power, for it was expressed in the order that sutche a commission mighte be by whiche the court mighte be helde, as namely, by a commission as well of constableship as of marshallship, and therfore the validity of that commission as it was granted was only in question, and not the king's power in granting of it. But, nether this nor nothing else wold serve the chancelor, or stop his mouthe from inveying against those lawyers that studyed prerogative, and concluded he wolde appeal to the king in this particular, and wold acquaynt him with this great affront made to his regall power. Mr. Whitelocke, when

he saw nothing he spake wolde satisfye the chancelor, resolved to prepare himself withe reason to maynteyn his opinion, and to manifest the mistaking therof, before the king himself. This was the last day of Ester term 11 Jacobi, being the 17 day of May. The next day the lords and judges sate in the Starchamber. After dinner, the chancelor, the privie seal, and the lord chamberleyne went to the king, being at Whitehall, and caryed withe them the chancery order of the 28 of April, red [it] unto him, and informed him that his regal power and princelyke prerogative, a poynt not fit for any subiect to meddle withall, was mutche impeached by it.

An item was given of the person, and what ill office he had doon in parliament against the king's power to impose without assent of parliament, and that it was not unlikely to falle out that he was the man that made the exceptions to the commission for the navye, whiche exceptions wear cum to the king's hand, and gave him great offence. The king upon this information began to be verye mutche incensed against Mr. Whitelock, and shewed it by bitter speeches against him, and the time made him the more apt to apprehend occation of anger, for that at dinner before, a libellous book was presented unto him, in whiche he was mutche vilifyed by the adversaryes of our religion for the smale power and grace he had withe his people in parliament, and mutche skorn put upon him for his impotency thearin, and especially in that he was so sternly denyed releef toward the payment of his debts. Mutche other skandalous and unworthye matter was in it whiche moved his maiestye very mutche; so at the last, breaking out into a denuntiation of punishement against this villanye, "I wolde wishe," saythe he, "that the author of this libell had no other punishement then the lower house of parliament wolde inflict upon him for this offence."

It happened sumwhat unfortunately that, cumming hot from this passion, he sholde be complayned unto of an opposition made against his prerogative (a thing his maiestye did more impatiently

heer of then any offence towching himself) and by on that had been traduced unto him to have been most diligent in examining his prerogatives in the parliament house. The king willed the lords to send for mr. Whitlock before them to the counsell table, and to make him give an accoumpt of his fault, and to do sumewhat more, as it will appeer by that whiche followethe. These three lords, verye ready to execute his lordship's [majesty's?] command, went into the counsell chamber, whear, withe sum few others, they sat most part of the afternoon about other businesses, whiche being in hand, they sent a pursuyvant to mr. Whitelock's chamber in the Middle Temple, who broughte unto him a note under mr. Edmund's hand, the clerk of the counsell, to this effect, "Mr. Whitelock, it is the lords of the counsell's pleasure, you attend them presentlye at the counsell chamber at Whitehalle," and to the note his name was subscribed. This note mr. Whitelock receaved between two and three of the clok in the afternoon, being in his studye; it was upon Tuesday 18 Maij, 1613, the morow after Ester term. So soone as he receaved it, he straightwayes conceaved what the businesse was, and therfore presently made him ready, and went withe the pursuyvant by water to Whitehalle, none of his owne people knowing of it, or what was becum of him, for his wife and family went that day into the countrye, and his men wear absent upon that occation, and had left him alone in his chamber.

When he came to the counsell chamber, the lord chancelor began to enter into speache of the businesse, toke the copie of the order of 28 April out of his bosom, and declared what had passed between them and the king about it. Other passages that then hapned in the counsell chamber ar set downe in a larger discourse of it; the end that day was, he was committed from the counsell table to the Fleet, by a warrant expressely and verbatim set downe in the other discourse.

The warrant bearethe date 18 Maij, 1613, for his imprisonment; was called to his answear on Saturday, 12 Junij, 1613, and was dis-

charged the next day; and for all the speciall manner of the proceeding, see the discourse made of it in particuler; and, all this notwithstanding, I will still reteyne my old motto, *Nec beneficio, nec metu.*

Upon Saturday nighte, 26 February, 1613, dyed at Kew in the countye of Surrey, that worthye yong nobleman JOHN LORD HARINGTON of Exton, being not full 22 yeares of age. He was the most compleat yong gentleman of his age that this kingdom coulde afford for religion, learning, and curteous behaviour. So thear dyed within the year four of the name, John lord Harington the father, sir Henrye, and sir James, two of the father's bretheren. This nobleman dyed a batchelor, but if he had not dyed he sholde have been maryed to on of the daughters of Henrye erl of Northumberland. He dyed of the smale pox, whiche disease he had once before. His heirs at the common law wear Lucye countesse of Bedford, and [Frances] wife of sir Robert Chichester, knighte. I had blackes for his funerall.

The day of Aprill, 1614, Sir Raphe Wynwood, before spoken of, was sworn principall secreatarye, and on of the privie counsell, at Whitehall.

More of my commitment.

The deathe of my il affected frend the erl of Northampton, who dyed upon Wednesday the 15 Junij, 1614, makes me bolder to commit to writing sum passages of my troble, whiche I have compiled in a book by itself, and peradventure will in fit time insert into this volume, as they do fail who I know will be readye to take advantages against me.

The copie of the warrant of commitment.

WHEARAS we finde cawse to commit the person of James Whitelocke, THESE shall be to will and command you to receave the person of the sayd James Whitelocke into your charge and safe keeping in that prison of the Fleet; thear

to remayne under your custodye, untill farther order be taken. At the court at Whitehalle, this 18 of May, 1613.

G. CANT: T. ELLSMEER, Canc: H. NORTHAMPTON. T. SUFFOLK.
W. KNOLLYS. JUL. CÆSAR.

To the warden of the Fleet. EDMUNDS.

Note.—Thear was no cawse expressed why I was committed.

The copie of my discharge.

WHEARAS James Whitelocke, counselor at law, was heertofore committed to your charge in that prison of the Fleet; Forasmutche as his majestye is gratiously pleased, upon the humble acknowledgement whiche he hathe made in writing of his offence, to give order for his enlargement, These shall be, therfore, to require yow to enlarge and set at libertye the person of the said James Whitelocke; For which this shall be to yow sufficient warrant. At the court at Greenwiche this 13 of June, 1613.

G. CANT: T. ELLSMEER. CANC: H. NORTHAMPTON. T. SUFFOLK.
PEMBROKE. FENTON. W. KNOLLYS. E. WOTTON.
JUL. CÆSAR.

To the warden of the Fleet, or his deputye.

The lords sent for sir Robert Mansel and me to Greenwiche, the sayd 13 of June, being Sunday, and delivered the king's grace toward us, and his satisfaction he toke of our submission, and so discharged us. The lord chancelor tolde me that that king toke special notice and good liking of the sentence out of Tacitus withe whiche I concluded my submission, that was, *Tibi summum rerum imperium Dii dederunt, nobis obedientiæ gloria relicta est.* My submission is elsewhear related, withe note whiche was my owne, and whiche was sir Frauncis Bacon's addition.

The PARLIAMENT began at Westminster the 5 OF APRIL, 12 JACOBI, into whiche I was retorned a burgesse for the towne of Woodstock, in the countie of Oxon, whear I was recorder, and was elected notwithstanding the towne wear hardly pressed for an other by the erl of Mountgomerye, steward of the manors and keeper of the house and parke thear.

Thear was retorned withe me sir Philip Carye, yonger sun to sir Edward Carye, master of the jewells. He was nominated in the place by sir Thomas Spencer, who, being steward of the towne, refused to serve himself, but commended that gentleman.

I was retorned burges also for the burrow of Corf Castle, in the Ile of Purbeck, in the countye of Dorset, and that was by the nomination of the honorable ladye, the ladye Elizabethe Cook, wife to the lord cheef justice of England, and daughter to the erl of Exeter, my verye honorable ladye. She returned me and mr. John Daccomb, master of the requestes, without my privity, for I was absent in the circuit when she sent my name, and when I came to her to take notice of it, and to thank her, she tolde me she did it least an honest man sholde be left out. I gave her thankes for it, and yeilded up the place to her againe, and in it was chosen sir Thomas Tracye.

My worthy frend sir Robert Kylligrew gave me a place for Helston, in the countye of Cornwall, and I cawsed my brother-in-law Henrye Bowstred to be retorned for that place.

On Tuesday the 7 of June, 1614, the parliament was dissolved, in that manner that all good people wear verye sorye for it; I think it not fit to play the part of a historiographer about it, but I pray God we never see the like.

On Wednesday following, in the morning, myself, mr. Thomas Crew, and others, that wear assigned by the House of Commons to be agents in the conference desired by the Commons withe the Lords, concerning IMPOSITIONS, wear called to the counsell table to Whitehalle, whear having everye on delivered what part he was assigned unto, we wear all commanded to burn our notes, arguments, and collections we had made for the preparing of ourselves to the conference. I broughte myne to the clerk of the counsell, mr. Cottington, the same afternoone, being 24 sides in folio, written withe my owne hand, and saw them burnt.

The partes wear thus assigned;—

Sir Henrye Mountague, recorder of London and the king's sergeant, was appoynted to shew the cawse whye we desired this con-

ference. This shold have been by itself first, and the conference at another time after.

Sir Frauncis Bacon, attorney generall, at the conference was to have made the introduction to the businesse, and to set the state of the question.

Sir Edwyn Sandes was to shew that the king's imposing without assent of parliament was contrarye to the naturall fram and constitution of the policye of our kingdom, as that it was a righte of majestye and soveraigne power whiche the kings of England could not exercise but in parliament, as that of law making, naturalising, *ultima provocatio*, and the like.

Mr. Thomas Crew was to shew the reason and judgement of the common law of the land, that whiche is *jus privatum* or *contentiosum* to be the same.

I was appoynted to begin to shew the practise of the state in the verye poynt, as being the best evidence to shew whether it wear a soveraignty belonging to the king in parliament or out of parliament, and to me was assigned the raignes of Edward I., Edward II., and Edward III., the heat of all the busenesse.

The time from 50 Edward III. to 3 et 4 Ph. et Mariæ, during whiche time thear was not an imposition set on but by assent of parliament, was assigned to Thomas Wentworthe of Lincolnes In, and to John Hoskins of the Middle Temple.

The time from 3 et 4 Ph. et M. to this present was assigned to Nicholas Hyde of the Middle Temple.

Thear wear appoynted to answere objections mr. Jones, mr. Chibborn, and mr. Hackwell of Lincolnes In.

Sir Roger Owen was appoynted to shew that no foreyne state could or did set on as the king of England did.

Sir Dudley Diggs was appoynted to open the matter of inconvenience to the common profit of the kingdom.

Sir Samuell Sandes was to conclude the businesse.

The same 8 of June, after we had been withe the lords, thear wear sent to the Tower four parliament men; sir Walter Chute, mr.

Christopher Nevill, yonger sun to the lord Abergavenye, mr. Wentworthe, and mr. Hoskins.

All the while the lords sate, the king was in the clerk of counsell's chamber. I saw him look throughe an open place in the hangins, about the bignes of the palm of ons hand, all the while the lords wear in withe us.

We wear all sent out of the chamber, and then mr. Wentworthe and mr. Hoskins wear sent for back againe into the chamber, and after sum speeche unto them by the lords, they wear sent to the Tower. Sir John Savill knighte for Yorkshire, and sir Edwyn Sandys, wear called before the lords and dismissed upon bondes, so was sir Edward Gyles, of Devonshire, and divers others, as sir Roger Owen. Thear wear divers put out of the commission of the peace, as sir John Savill, sir Roger Owen, sir Edward Philips, mr. Nicolas Hyde, and others. Thear was committed to the Tower, shortly after the parliament, sir Charles Cornwallys, and doctor Sharp, archdeacon of Barkes, for conference layd to ther charge withe mr. Hoskins, about parliament matters. These things I wold not meddle witheall, but that they hapned whear I was an agent.

In September 1614, SIR EDWARD PHILIPPS, master of the rolles, dyed of an ague; he fell sik at Wansted, in Essex, and came from thence to the rolles, and thear dyed. He was my verye good frend. It is thoughte that greef he toke in the king's displeasure toward him, for his sun's roughenesse in the parliament, hastned his deathe. But I cannot think a man can be sutche a mope.

This summer I went progres withe sir Henry Savil, provost of Eaton, and warden of Merton colledge, for bothe howses, into the countyes of Surrye, Kent, Essex, Suffolk, Northfolk, Cambridge, Bedford, and Hertford.

I saw Dover Castle in Kent, the citye of Canterburye and the decent churche thear, the towne of Ipswiche in Suffolk, and came to Cambridge on Thursday in the afternoon, and stayed thear untill it was Munday morning.

We wear enterteyned by the bishop of Ely, docter Andrewes, at

Jesus colledge, by dr. Nevill at Trinitye colledge, by docter Smithe at King's colledge, in the halle, and by the procter thear. We met thear sir Fulk Grevill,* withe whome we had mutche companye. Thear we met the dean of Westminster, docter Mountayne,† mr. Prowd of Lincolnes In, and mr. Limytayr. Thear went withe us, for Eton colledge, mr. Allen and mr. Weaver, the two bursars, and mr. Simonson, subwarden of Merton colledge, riding bursar for that colledge.

The shortnesse of the vacation and the circuit withe this progres kept me from my owne house almost all the summer.

It is not to be forgotten that the SERGEANTS-AT-LAW gave eache of them 600*l.* to the king, and sum of them were not worthe the money, and sum never likely to see it halfe againe in thear practise.

Mr. George Croke was left out bycaus he refused to give the money, and offence taken at his words bycaus he sayd he thought it was not for the king.

The 24 day of November, 1614, anno Jacobi regis 12°, SIR HENRY DYMOCK of Erdington in the countye of Warwick, knighte, did grant unto me an annuitye of 4*l.* per annum for my life. I had deserved well at his hand, for if I had not payd a good sum of money for him upon a sodeyne, he had lost Erdington. I toke of him fower yeares payment. The money came to 1,400*l.* that he was to pay me. He began his first payment in Michaelmas term 8 Jacobi, his last was Michaelmas term 12 Jacobi, at whiche time he shold have payd me 440*l.*, but not being able, and least he shold be put in hazard to suffer a forfeiture of his land, althoughe no danger wolde have cum by it, yet to make the dealing more secure on his part, I conveyed back his land, and toke a statute of him for 260*l.* of the money he could not pay me, and so discharged him of the mortgage.

The noble lady the LADY ELIZABETH COOK, wife to the lord

* "Servant of queen Elizabeth, counsellor of king James, and friend of sir Philip Sydney;" created lord Brooke in 1620.

† Dr. George Mountaigne, or Montaigne, dean of Westminster 1610—1617, and subsequently bishop in succession of Lincoln and London.

cheef justice, did send me this term for a present half a doe, whiche I toke for a great favour at her hands.

For the BENEVIELENCES I was left out in the countrey, for when my name was proposed before the justices, they bad let me alone, for they wold speake withe me at London about it, so I was altogeather omitted, yet in Michaelmas term I got the rolle into my hands and put myself 40*s.*, whiche I did to avoyd the danger of giving more singlye. Mr. Lydall and mr. Clerk, two justices of the peace of the countye of Barks, bothe my puisnees, wear set at 5*l.* ether, by the lord Knollys, and payd it. It is great pitye that thear was occation to seek for money this way.

Upon Tuesday the 13 day of December 1614, MARY the wife of my brother-in-law Henry BULSTRODE departed this life, at Horton in the countye of Bucks, having been sik of a consumption three yeares at the least. She was mr. Read's sister of Barkshire.

Giftes given me this Christmas.

Sir Frauncis Leighe, a hanche of venison.

Mr. Richard Vaus, a doe.

William Whitelocke of Okingham, a fat turkey.

My mother Browne, 4 collars of brawne, 4 capons, a capon pye, and goose py.

Sir Henry Dymock, a colar of brawne and 3 capons.

Widow Mountague, 2 capons.

Samuel Baker, 2 capons.

My cosen Peck, a bottle of bastard.*

My brother Bowstred, a swan and 2 geese, 2 capons, a color of brawne, a fletche of bacon.

Anthony Bull, 6 silver spoones and 2 partriches.

Sir Humfrey May, impost for 2 ton of wyne.

Sir George Wrighte, a girdle.

Nurse Harding, a goose; William Croke, a cake; mr. Jones, a goose and a chyne of pork.

Given away by me this Christmas.

To the master of the Rolles, Sir Julius Cæsar, a firkin of sturgeon.

To justice Croke, a sugar lofe and a turkey.

To my lord cheef justice, a swan and 2 turkeyes.

* "Your brown bastard is your only drink." 1 Hen. IV. act ii. sc. 4. Barret, in his Alvearie, says it was "muscadel, sweet wine."

Upon the deathe of the lord Harington the sun, the benefit of on moitye of sir John Roper's office, whiche was setled in me by his appoyntment, did cum to the ladye Harington his mother as executrix and trusted withe the whole estate to pay his father's debts, and she transferred all to the countesse of Bedford, her daughter, who made an agreament withe the erl of Somerset to transfer it to him. The erl required to have it discharged, by the countesse, of the divident of a twelf part, whiche I was to have by covenant for execution of it, for that he was to give a twelf to mr. Heathe for execution, and conceaved thear wold not need two to execute; whearfore, to get my goodwill to consent to this, and to have from me that whiche my lord Harington had given me, I had from the countesse 800*l.* in readye money, and the alteration was this: I made new covenants withe the erl, by whiche I did covenant to surrender up the office at his request, and not execute it but by warrant under his hand and seal. See more infra, p. 57.

This Ester term 1615, I christened a childe for mr. Edward Nevill, brother of sir Henry Nevill of Pillingbeer, and called him James.

I gave to the building of the librarye at Oxon 6*l.* 13*s.* 4*d.*, and receaved an acquittance for it from sir John Bennet, thesaurer, 15 Junii, 1615.

On Munday the tenthe of July, 1615, at Pillingbeer in the countye of Barkes, departed out of this life SIR HENRY NEVILL, my true and worthy frend. He was lineally descended from Edward lord Abergueveny, fourthe sun of Raphe Nevill first erl of Westmerland. He was a most faytheful frend unto me, *tam in adversis quam secundis*, and I dealt as well withe him, for at the time I was committed to the Fleet, he was hunted after by the erl of Northampton, as the author of the opposition against that irregular commission spoken of before in the declaration of that businesse; but, althoughe he was an actor in it withe far greater men, yet his good lordship could never finde it out, notwithstanding he cawsed me to be kept close prisoner and examined by the lords of the counsell; the truthe

is, he durst not name him playnly, althoughe he aymed at him, and I had reason enoughe to conceal him.

He was the most sufficient man for understanding of state businesse that was in this kingdom, and a verye good scholer and a stout man, but was as ignobly and unworthely handled as ever gentleman was. Two of his enemyes he saw dye ignominiously before him. The tresorer Salisburye, that rotted above ground, and Northampton, that dyed of a gangren in his thighe, a verye rot, and left the world suspected of ill dealing toward the state. He was 52 yeares of age when he dyed.

This summer, as I came from Stafford, whear the circuit ended, I met sir Henry Savill, the Provost of Eaton, and Warden of Merton Colledge in Oxon., at Everdon in Northamptonshire, neer Dantree, and kept four courtes withe him, two for Eton Colledge and two for Merton Colledge, and was at home 19 Augusti.

At my retorn I sent a salmon to MY LORD CHEEF JUSTICE* to Stoke, that cost me 22*s.*; he invited me withe many other gentlemen in the countrye to the eating of it, and sent me half a buck afterward. Thear wear at dynner, at the invitation, the lord Davers,† sir Henrye Drewrye, sir William Boyer, sir Robert Cooke my lord's sun and heir and his wife sister to the lord Barkley, widow Berneires my lord cheef justice' daughter, mr. William Clerk sun and heir to sir William Clerk of Hitcham, mr. Ausham, parson Wrighte, mr. Hynde the lawer, and other neighboures.

As I was riding thether to dynner to that meating, whiche was ultimo Augusti 1615, I met MR. SECRETARYE WYNWOOD in Windsor, cumming from the court at Farnham. He toke me from horsback into his coatche, downe to Eaton, and thear did visit his sun James, godsun to the States of the Low Countryes, and sent by me this newes to the lord cheef justice, that the bishop of Winchester was sworn of the privye counsell upon the day before, at Farnham, and prayed my lord he wolde be at Windsor on Sunday,

* Sir Edward Coke, at Stoke Pogeis.

† Henry lord Danvers of Dantsey, afterwards earl of Danby.

at the king's cumming, and not to look for a messenger. I did these arrands to my lord, and he after dinner would have had me gone to tables, a matche at dubble hand withe himself and others. I tolde him mr. secretary had requested me to cum to him so soon as I could to Ditton. So I presently went thether, and my lord sent this message by me, that he wolde not fayle to be at court, and he shold finde him as he ever had. I told mr. secretary, that he gave sum item he wolde inclyne in opinion, in sum matter before spoken of, as desired.

Upon Sunday, 3 September, I was at the sermon at Windsor, whear preached doctor Feild, on of the canons, and dean of Glocester. Thear was mr. secretarye and my lord cheef justice. They sat in the stalles over me. So soon as the sermon was done, mr. secretary beckoned to me to cum to him, so did my lord cheef justice. I presently went to mr. secretary, who invited me to dyne withe him. I tolde him I coulde not. He answered me againe, "I,* that is bycaus my lord cheef justice hathe called yow, and yow dard not deny him." "Sir," sayd I, "yow must be bothe denyed now, for I have divers of my frendes at home withe me." My lord, so sone as I came to him, "Cum, mr. Whitelocke," saythe he, "I will make bolde withe yow, on of my owne coat; I pray thee let me have thy companye out of the churche, for I am a stranger heer." So I led him out of the churche by the arm, and then went withe him to his coatche, into the upper court. And, as I went with him, I asked him why he stayed not at the court to dynner. He told me, that whilest he stood by the king at dynner, he wolde be ever asking of him questions of that nature that he had as life be out of the roome, and that made him be as far of as he mighte ever at sutche times. I gesse it was concerning matters of his prerogative, whiche the king wolde take ill if he wear not answered in them as he wolde have it. Upon Tuesday, 5 September, I dyned withe the secretary at his lodging in Windsor Castle, and presently after dynner went withe him to Stoke to my lord cheef justice and his ladye, whear he stayed two howers,

* That is, "Aye."

and retorned back againe to the court. My lord thanked him for his kindenesse unto me. Mr. secretarye told him he wold be willing to do me any kindenesse, and that I was of his olde acquayntance in Oxon. In the way a packet of letters was delivered unto him by a post whiche came from Venice, from sir Dudley Carlton. On Thursday, 21 September, my wife and I wear bidden to Stoke to dinner by my lord cheef justice and his ladye. I went, but she went not. Ther dyned the ladye Elizabeth Guilford and the lady Marye Arundell, two of the earl of Worcester's daughters, the lady Hennage and lady Maynard widowes, the lady Maynard baronettesse, sir William Bryer and his lady, and sir Marmaduke Darrell and his ladye.

My wife, bycaus she refused to go to Stoke, refused to go also in the afternoon to Ditton Park, to the christening of mr. secretarye's childe, whether she was invited.

About Michaelmas, 1615, or sum few dayes after, SIR HENRY DYMOCK my ancient acquayntance died at Erdington in the countye of Warwick, and for want of a will his whole inheritance descended to An Dymock, daughter of Frauncis Dymock his eldest brother.

Giftes given me this Christmas.

Sir Frauncis Leighe, a phesant.
My brother Bulstrode, a collar of brawne.
My mother in law, 4 collars of brawne, 2 capons, a goose py, a capon pye.
Mr. Richard Martin, of the Middle Temple, three quarters of a doe.
Mr. Vaus, a doe.
St. John's Colledge, a pair of gloves.
My cosen Peck, a jar of olives.

Given by me this Christmas.

To mr. justice Croke, a turkey and a sugar lofe.

In my going into my circuit this summer, 1616, I kept a court at Bledlow in Buckinghamshire for Eton Colledge, and was verye

royally enterteyned by my old acquayntance MR. RICHARD MORE of the Middle Temple, the colledge tenant thear. His wife and myne ar kinsewomen. He refused his reading in the Middle Temple, and was made presently after master of the chancerye.

At my retorne out of the circuit I was enterteyned at St. John's Colledge, and came along from Oxon. to Eton Colledge to the election, whear the provost of Eton, the provost of King's Colledge in Cambridge, the provost of Queen's Colledge in Oxon. and dr. Wrighte, canon of Wells, vicar of Sunning, and parson of Heys in Middlesex, did keep togeather all the election weeke.

The provost of Queen's Colledge dr. Arn, a grave, lerned, and reverend man, dyed about Michaelmas after this meeting was in the beginning of August. Presently upon my retorn to Cluar I did visit that honorable and worthye judge SIR EDWARD COKE, lord cheef justice of England, who was newly retorned to Stoke from the parts about London, whear he was fayne to attend about his infortunate businesses at the court. Never man was so just, so uprighte, free from corruption, sollicitations of great men or frendes, as he was. Never put counselors that practised before him to annuall pensions of money or plate to have his favour. In all cawses before him the counselor mighte assure his clyent from the danger of briberye, the secret mischeefs growing by wife, children, servants, chamber motions, courteours great or smale, and the most religious and orderlye man in his house that lived in our state. Thear grew sum smale questions between him and sum of his tenants at Stoke about copies.* He sent for me, prayed me to keep his court, and to order all things as I sholde see cawse in justice, upon view of his rolles, and that he wold be contented withe what I determined withe him or against him. And accordinglye I did keep his court the Tuesday after Michaelmas day, and gave good satisfaction to those that made clamor against him.

This Michaelmas term, 1616, the king bestowed the deanerye of

* Copyholds; estates held by copy of court-roll.

Hereford upon my good frend RICHARD MOUNTAGUE, fellow of Eton Colledge, and the deanerye of Glocester upon my good frend DR. LAUD, president of St. John's Colledge in Oxon. The deanerye of Glocester was voyd by the deathe of a most worthye and religious divine, namely doctor Feild, an Oxford man, and canon of Windsor. Richard Mountague was fellow of King's Colledge in Cambridge.

On Munday, 18 November, 1616, was placed cheef justice in the King's Benche SIR HENRY MOUNTAGUE, on of the king's sergeants at law, in the roome of sir Edward Coke, who was removed from his place upon the king's displeasure. What was the cawse of the offence by the king is not for subjects to meddle withe, but those that practised before him, or had cawses before him, found him the most just, honest, and incorrupt judge that ever sate on benche. What wear the cawses rumored abroade I mean not at this time to set downe.

Sir Henrye Mountague was of the Middle Temple, a yonger sun of sir Edward Mountague of Boughton in com. Northampton, knighte, who was sûn and heir of sir Edward Montague, knighte, cheef justice of the Common Pleas.

The lord chancelor, upon the sayd 18 day of November, when he came into the court of King's Benche to give the othe to the new cheef justice, made a verye bitter invective against the late cheef justice, taunting him withe being ambitiouslye popular, and other faultes whiche no way towched his honest, just, and uprighte dealing, but rather implying faultes so esteemed to be in a monarchicall state, and did ernestly incite the now cheef justice to avoyd the faultes and fortune of his predecessor, and to imitate the virtues and strive after the fortunes and honors of his grandfather, whiche I merveyled at, considering how unfortunate the end of his grandfather was, whiche I will relate out of the mouthe of sir Sydney Mountague, master of the requestes, brother to my lord cheef justice and a barester of the Middle Temple neer my time. Sir Edward Montague was first cheef justice of England, then of the

Common Pleas, for in his covetous humor he left the higher place to descend into the more gaynfull. He was a privie counselor to Henry VIII., and *ab intimis* withe those actions that ar to be condemned. He [was] left to be on of the counselors to Edward VI. by Henry VIII., and made on of his executors. When queen Marye came to the crowne, she cast him into the Towr for treason, being the man upon whome the making of king Edward the VI. will was layd. But he shewed for his help a writ under the great seal by Edward VI. commanding him to make the will *in formâ*, and a charter of pardon after the will made, and offered proof that he was inforced by the threates of the duke of Northumberland to make the will, so his mult was losse of his place, and payment of 3,000*l.* It is a proverb, "Many Mountagues, but on Markham."*

In Aug. last, 1616, SIR AUGUSTIN NICOLS, a justice of the Common Pleas, dyed in his circuit in the northe. He was at a great enterteynment at Naworthe at the lord William Howard's,† whear he fed upon his last food, for he dyed within few dayes after, and never eat or drank after his meal at Naworthe that he could reteyne, but was taken withe a violent distemper of casting [and] purging; untill he dyed as if he had been poysoned, and sayd to his people about him, he sholde dye, and yet he knew not of what he was sik. He was a most lerned and uprighte judge, of an exceeding pleasant and affable behavior, a cumly man of personage, and beloved of all men but of those that love none that will not say as they do. He was of the Middle Temple, and so was his father before him, a verye grave and lerned reader. He was 57 yeares of age in Aprill last, as he told me when he saw me last.

This Michaelmas term, 1616, I boughte of SIR WILLIAM ALFORD

* This proverb, which has not been found mentioned elsewhere, is one of many testimonies to the popular reputation of that excellent and truly honourable public functionary, sir John Markham, lord chief justice in the reign of Edward IV. For several generations he was continually cited as "the upright judge." See Foss's Judges, iv. 441.

† Belted Will.

of Meux in the countye of York the MANOR OF FAWLEY in the countyes of Bucks and Oxon. It cost me 9,000*l.*, of whiche I payd 3,000*l.* readye money, and am to pay 6,000*l.*, that is to say, 2,000*l.* ultimo Nov. 1617, 2,000*l.* ultimo Maii, 1618, and 2,000*l.* ultimo Nov. 1618. I toke liverye of seasin upon the 5 of December, 1616, of the land in Bukinghamshire, and of the land in Oxfordshire, 20 December, 1616. I kept court for attornament of the tenants upon the feast day of St. Thomas the apostle, 1616.

In Januarye dyed MR. LEWES PROWD, a reader of Lincolne's In and justice of assise for three shires in Wales, and on of the governors of Sutton's hospitall. By his deathe I had by survivor the stewardship of the lands of Westminster Colledge, and the stewardship, or under stewardship, of the court of St. Martin's-le-grand, London.

THOMAS LORD ELSMEER VISCOUNT BRACKLEY, and chancelor of England, dyed in the beginning of Martche, 1616. It had been good for this common wealthe if he had been out of the worlde 20 yeares before, for he was the greatest enemye to the common law that ever did bear office of state in this kingdome; he was therupon termed viscount Breaklaw for viscount Brackley. The seal was taken from him sum small time before he dyed, and delivered to sir Frauncis Bacon, the attorney-generall, who was a younger sun of sir Nicolas Bacon, keeper of the great seal, and was a dooble reader in Grayes In, first sollicitor, and then attorney.

SIR HENRY YELVERTON, the king's sollicitor, was made attorney. He was a reader of Grayes In, and sun and heir to sir Christopher Yelverton, on of the justices of the king's benche: his mother was daughter to Catesbye of Whiston, whose mother was daughter to sergeant Pigot, and sister to my wife's great-grandmother, the wife of George Bulstrode esquier. MR. THOMAS COVENTREE, of the Inner Temple, a green reader, being newly chosen a recorder of London, came to be sollicitor and knighted. He was sun and heir to Tho. Coventree, a judge of the Common Pleas, and red in summer 1616, being then my puisne three yeers, how and *quibus gradi-*

bus ascendit ad hæc culmina, quære. Mr. John Walter, the prince's attorney, the fittest man in England for it, and ancient to mr. Coventree a dozen year or more, was omitted, whome all the world had destinated to the place.

These three, Yelverton, Walter, and Coventree, wear my speciall frends and acquayntance, and I and they rid Oxfordshire circuit togeather manye yeares.

MR. ANTHONYE BEN, a reader of the Middle Temple, stepped in to be recorder of London. He was a citisen's sun of London, well enoughe spoken, but his spokesman in this businesse was the king's letters, procured by a great on about him, to wit, the erl of Buckingham.

SIR GEORGE SNIGG, on of the barons of the eschequer, was put from his circuit of Glamorgan, Radnor, and Brecknock; and WALTER PYE, barister of the Middle Temple, whose turn is not to reade untill next Lent, was put into his place by the meanes of the erl of Buckingham. The lord chancelor Elsmeer wold have had the place for sergeant Frauncis More, but could not, as I herd credibly. This sergeant was knighted in Martche last.

On MR. NAUNTON, that had been a fellow of a colledge in Cambridge, and was not long sithence made master of the requests and knighted, was by the meanes of the ladye Compton, mother to the erl of Buckingham, made surveyor of the court of wards this winter, a place ever held by men lerned in the law, as Kingesmill, Kellaway, and the like, and this man a scholler, but meer stranger to the law.

Also SIR LIONEL CRANFEILD, that was an apprentice boy in London of late yeares, and sithence thrust into the acquayntance of great men by the dealings of William Peache and Richard Lyons, 50 Edward III.,* was made master of the requests by the erl of Buckingham's meanes; a place requiring a man lerned, ether in the civill or

* William Peachey and Richard Lyons were two of the farmers of the customs whose misdoings were a subject of parliamentary inquiry at the time here referred to.

common lawes, and so they have allwayes been. These things I set downe for posteritye to know the course of things in our profession.

Upon Saturday the 5 of Aprill, being newly retorned out of the circuit, I visited the new lord keeper, who gave me verye noble and kinde words of encoragement. The same day I visited SIR HENRYE YELVERTON, the new attorney, who related unto me the manner of his cumming to the place, and, shutting his clyents and other resort from him, shewed his ancient love and good opinion of me in an oures discourse verye neer. That concerning his place was thus, that the king having delivered the great seal to sir Frauncis Bacon, sayd, openly, before the lords, that now he had setled that he had no cawse to think farther upon the rest of his businesse, for they knew he was resolved his sollicitor shold be attorney, and therefore sayd merely, that if any man wold move him to the contrarye, he wold thinke him half a traytor. Thereupon all the lordes gratulated the sollicitor, sir Henrye Yelverton, as attorney, and he was directed to make his warrant for the place that the king mighte signe it. This publication, and the king's signification of his purpose otherwise, made the sollicitor secure of him; so he made his warrant readye for the king to signe, and to have it exhibited at best opportunitye. Not long after, he understood by sum of the lords, that the erl of Buckingham was agent for an other, and did crosse him, and was privily advised by sum of his frends, as the duke of Lenox,* the archebishop of Canterburye,† and others, to repair unto him, and make away the falte. He absolutely resolved and vowed he wold not deal withe him about it, nor speake to him, and so it continued sum few dayes in a stand, many of his frends telling him the erle shewed himself openly against him, and that he must get somebody to move the king, or go to him himself, insomutche as the duke of Lenox tolde him he had broke out into playne termes withe the erl about his opposition against the king's purpose, and the desire of all

* Lodovick, second duke of Lenox, ob. 17 May, 1623. † Archbishop Abbot.

his lords and counsell, and that he had exchanged as hot words withe him as ever he did withe any of that rank. Secreatarye Wynwood offered him to go withe him to the king to exhibit his warrant to be signed, but he refused, and protested he wold leave it to the king, who he knew had judgement enoughe to chuse his owne servants.

This continuing still in this sort, and the whole court being as possessed of a stay of the proceeding, and fearing the hinderance of the successe by the erl's favour withe the king, on Robert Pye, a servant of the erl's, who was imployed by him in his most private affayres, came to the sollicitor erly on mourning before he was out of his bed, and being admitted to him, tolde him, that the erl of Buckingham desired him to cum to him, and to bring his warrant that sholde be signed. He went unto him so soon as he was readye, and, being led by him into a private room, did thear begin a kinde expostulation withe him, in that he had not used his help in cumming to the place of attorney, telling him he intended to have afforded him all the help he coulde, if he had been but spoken to in it, and that he looked not for any recompence, notwithstanding sir James Lea had offered 10,000*l.* to have the place, and making sum shew that his favour withe the king was, in the opinion of the world, ecklipsed by this neglect of him, and he not thoughte to be of that power he had been, and other words tending to an invitation of the sollicitor to use him in the businesse, and desired him to deliver him the warrant, and he wolde presently get the king's hand unto it. The sollicitor excused himself, that he soughte not for his fartherance in it, bycaus he saw as well him as all other the lords well pleased withe the king's purpose in it, and to have made a suit to him had been to have suspected his favour to him, and besides that, the king had discovered his purpose in it, and it was not usuall, for sutche places, to acquaynt or deal withe the favorites of kings, being things that go in course, unless cawse be to the contrarye. And tolde him he had always shewed himself readye to do him any courtesye, and that he never disassented from that he desired but in on thing, and that was in being of opinion that the

transaction made by sir John Roper for his office was not against the statute 5 Edward VI.

So after mutche exchange of words, and a verye kinde conclusion of all speeches, withe this especiallye, that he could not mislike that my lord shold be carefull for sutche a on to cum into the place of attorney that shold be his frend, considering it was a place that the greatest men in the realme mighte have hurt or good by it, he toke of him his warrant, got the king's hand to it, and broughte [it] againe unto him presentlye.

Mr. attorney did protest unto me upon his creadit that he nether gave to the erl nor to any other subject in the kingdom on farthing to cum to the place, nor contracted for anything, nor promised anything nor had any speeche about it. But when the businesse was done, and no expectation of any thing, he went privately to the king, and told him he did acknoledge how like a good master and worthye prince he had dealte withe him, and, althoughe ther was never mention, speeche, or expectation, of anything to be had for his having of this place, but he came to it freely, yet, oughte of his dutye, he wolde give him 4,000*l.* readye money. The king toke him in his armes, thanked him, and commended him mutche for it, and tolde him he had need of it, for it must serve even to buy him dishes, and bad him paye it to his servant Murrey, whiche he did, and shewed me the acquittances for it, under the hand of mr. Murrey, who, as I heer, is keeper of the privie purse.

I toke by relation from SIR HENRYE SAVILL, the provost of Eton and warden of Merton College, that he was 68 yeares of age at St. Andrewes day 1617, and that he was chosen warden of Merton College in anno 158-, and provost of Eton in anno 1596.

I was blowen out of the office of the Kinges Benche *(de quo vide supra, p.* 46*)* in this manner following. The erl of Somerset being attainted, the erl of Buckingham got the reversion of the office. Sir John Roper wolde not yeild to surrender untill the king dealt withe him. He at the last agreed, and was made baron of Tenham in Kent, and was contented two shold take a grant of the office for thear lives,

putting in securitye to make him a true accompt of all profits during his life, and themselves to have nothing, nor to meddle withe the execution of it. Those put in wear Robert Heathe that was on of the first patentees, the other —— Shute of Grey's In, thrust in by menace of the then attorney generall sir Francis Bacon, a privie counselor, against the will of the then lord Tenham, who desired to have had me in. But when I moved mr. attorney about it, who undertoke to manage the businesse as he list, he tolde me he wished me better then to have me a clerk accoumptant, and bad me go on in the course I was in, and he wolde do me more kindnesse that way. I toke his fair speeches as proceeding from his desire of his owne endes, that was to gratifye the Villers, by providing sum future stay for Shute, that was a hangby and petifogger of theares, and was never likelye to be able to do more good then bear a name and another to take the payne. I made no great sute to continue in, but desired that I mighte be freed from that little interest I had in it from my lord of Somerset by sum course of justice, as in the estchequer chamber. It wolde not be suffered, but I receaved letters presently after from the attorney, with a mandat from the king to surrender, and had sum intimation under hand of threates if I did not. The letters wear these.

Whearas I have receaved his Majesty's privie seal directed unto yow to make surrender of those grants whiche were made unto yow of my lord Tenham's office, I send yow heerwithe the said privie seal, requiring yow, all other businesse set apart, forthewithe to perform the same, for whiche purpose yow, mr. Heathe, have writings allreadye prepared. 18 November, 1616.

FRAUNCIS BACON.

The superscription. To his loving frends, Robert Heathe and James Whitelocke, esquiers, theis.

The mandat began, "James, by the grace," and recited the grant made to Heathe and me of that office, 7 Julii, 18 Jacobi, at the petition of the then viscount Rochester, afterward erl of Somerset, recited the covenant to surrender at his request, the righte of the crowne by the attainder, and then commands us to surrender and

release to all covenants and bonds, all actions, dutyes, debts, and demands, by reason of the sayd covenants and bonds. Dated 18 Nov. 14 Jacobi. The writ is long, but is inrolled in the King's Benche, *Michaelmas*, 14 *Jacobi*, *rot.* 200. It did also recite the grant of sir Edward Coke, lord cheef justice of the King's Benche, made unto us 4 Nov. 11 Jacobi, a matter I knew not of untill I red it in the writ. It was "under the signet, at our palace of Westminster." I have the copie of it at large among my papers.

According to this command we did surrender into the hands of the new cheef justice, sir Henrie Mountague, at Sergeants' In in Fleet Street, 19 Nov., 14 Jacobi. And this is also inrolled in the King's Benche, Michaelmas, 14 Jacobi, *rotulo ducentesimo*.

The office was presently granted by the cheef justice to Heathe and Shute, in manner as is before expressed, and the chief justice hathe 500*l.* the year out of it.

Robert Heathe dealt suspiciously in this matter, and I doubt he will never have any great katche by it. They will be but bankers, or cashemen, at the erl of Bukingham's command, and I am a freeman, and hope so to continue.

In summer 1617 my wife and I spent our time at Fawly Court mending and repayring the house, and orchardes and gardens about it. In September I made a progresse journey to Cambridge, with sir Henrye Savill, about the businesses of Merton Colledge in Oxon., whear we met withe lerned men, and had mutche companye withe them.

RICHARD NEIL, late bishop of Lincoln, being this last vacation, 1617, promoted by the king to the bishoprik of Durham, granted me a pension of 4*l.* *per annum*, *pro concilio impenso et impendendo*, and 5*l.* a year to mr. attorney general, sir Henrye Yelverton, and gave ether of us five unites* for seasin, whiche is 5*l.* 10*s.*, eatche of us. His patent is under the seal of his bishoprik. "Dated at Durham House in Westminster, 15° Octo., 15 Jacobi."

* The "unite," or "unitie," was a sovereign, coined by James I., with the design that it should circulate throughout the united sovereignties of England and Scotland.

JOHN BUCKRIDGE, bishop of Rochester, gave me an another annuity of 40*s.* per annum, for counsell, dated 29 October, 15 Jacobi, and 20*s.* for seasin.

I had taken for me alive, and sum bred up, at Fawley, this latter end of the year 1617, above sixty partriges. I gave a covey of thirteen alive ons to the lord keeper, and another covey of ten to the lord chief justice of the King's Benche, and this was a little before Michaelmas term began.

Upon the 27 of November, 1617, the lord keeper, upon the motion of the lord cheef justice Mountague, being justice of assise in Bukinghamshire, and of sum of the principall gentlemen of the countrye, made his warrant, dated that day, to the clerk of the crowne, sir George Coppin, to place me in the commission of the peace in the countye of Bucks, and I was placed accordingly, and of the quorum. My othe was given me by mr. justice Croke, to whome, and to Richard More, esq., master of the chancerye, a commission was awarded to take myne othe. I was placed fourthe esquier in the countye.

The dean and chapter of Westminster did grant a new patent to me alone, of the office of generall steward of all thear lands, whiche I held joyntly withe mr. Prowd whilest he lived. I had also the understewardship of st. Martin's granted me by expresse wordes, dated 6 December, 1617. The dean wolde fayne have had mr. Richard Dover of Grayes In to have been joyned withe me, but the chapter utterly refused it.

Upon Sunday, 14 December, 1617, George Mountayne, dr. in divinitye, dean of Westminster, was consecrated bishop of Lincolne, at Lambethe. His successor in Westminster was doctor Townson, chapleyne sum time to my lord Coke, and after preferred to be the king's chaplein, but the time he was made dean of Westminster he had no spirituall living, but of my lord Coke's gift. These two deanes weare fellowes of Queen's Colledge in Cambridge.

The same day doctor Felton, parson of Bow, was consecrated bishop of Bristow.

In Michaelmas term, 1617, dyed my worthye frend SIR RAPHE WYNWOODE, principal secretarye; his acquayntance and myne began in Oxon., whear he was a master of art and fellow of Magdalen Colledge, and procter of the university together withe Thomas Savill, brother of sir Henry Savill, who dyed not long after, fellow of Merton Colledge. Into the place of secreatarye Wynwood came mr. Robert Nawnton, a master of art sumtimes in Cambridge, who before was on of the masters of requestes, and surveyor of the court of wardes, and into the place of surveyor of the court of wardes came sir Humfrey May.

SIR HUMFREY MAY was one of the suns of Richard May, a wealthye citisen of London, whiche Richard was born in Portugall of Englishe parents, and lived verye worshipfully in the citye of London untill he dyed. Sir Humfrey and I came from Oxon. togeather to the Middle Temple, and boughte a chamber, and wear admitted into it the first time we came, and so continued untill he went into Ireland about the end of the raigne of queen Elizabeth withe the lord Mountjoy, and when he came over withe him in the king's time he was made a groome of the privie chamber for 500*l.*, whiche place he left to a brother of his, and became secreatarye in England for the kingdom of Ireland, and dispatched all businesses for that countrye. Afterward having been surveyor of the court of wards sum few weekes, he was made chancelor of the duchye of Lancaster, whiche place was voyd by the deathe of sir John Daccomb. He was set ther in Ester term 1618. Into the roome of surveyor of the court of wards, Ester term, 1618, was preferred BENJAMIN RUDYERD, immediately after knighted. He and I wear togeather in st. John's Colledge in Oxon., and came from thence about on time to the Middle Temple, and wear called to the bar togeather by mr. Nicholas Overburye, in his reading August 1600, but I was called absolutely, and he so as the Benche wolde allow it at the term. He left the studye of the law, and betooke himself to travell, and, getting into the good opinion of the erl of Pembroke and other noblemen, was put into this place, whiche is the place of

a lerned lawyer, and had ever been so holden untill sir Robert Nawnton was thrust in.

Justice Warberton and justice Croke, justices of assize for the countye of Oxon., wrote letters to the lord chancelor signifying that it was verye convenient I shold be in commission in the countye of Oxon., as well as in Bukinghamshire, and therupon a warrant was directed to the clerk of the crowne in these words.

These ar to will and require you to place James Whitelocke, esquier, in the commission of the peace for the county of Oxon; and this shall be your warrant. From York House, this 7 of May, 1618.

Fr. B., Canc.

To sir George Coppin, knighte, clerk of the crowne.

Justice Warberton lay at my house at Fawly court, and gave me my othe; it was in his way to Oxford assises, 2 Julii.

This vacation in summer, 1618, thear did resort to me and lodge withe me, of my frendes, the ladye Browne my wife's mother, Sir John Tirrell and his ladye, Pawl Croke and his wife, sir Henry Browne, the deanes of Westminster and Gloucester, docter Dayrell, the porvost of Eaton; and I toke a journey into Oxfordshire to meet the dean of Westminster at Lawnton, from whence I went withe him to Islip, from thence to Stevington in Barkshire, to mr. Wiseman's, and so home, and left Richard Okely my clerk to keep courtes for me, whiche place he had supplyed the whole progresse, before I came to them.

In August, 1618, being on of the cubberdmen of the Middle Temple, I went up to argue at the reading, the reader being mr. Ford of Devonshire, to whome I gave a buck and 14*s*.

This vacation I was, by the lord chancelor's letters, requested to joyne withe sergeant Frauncis More, knighte, to settle the controversies between sir Frauncis Stonor, knighte, and sir Henrye Stonor his sun and his wife, who was daughter to sir William Woodhouse, and neece to the lord chancelor by his sister.

I was present at Wickham at the assises for the countye of Buckingham the Thursday after Michaelmas, 1618, whear I was desired to give

the charge, and did it. Thear wear present sir Marmaduke Darrell, coferer, sir William Clerk, sir William Fleetwood, sir William Borlas, sir Frauncis Godwyn, sir Frauncis Cheyney, sir Thomas Lee, my brother Bowstred, and Christopher Hampden.

This Mychaelmas term I gave away in presents twelve live partriges to the lord chancelor, twelve to the lord cheef justice, and twelve to the chancelor of the duchye, at on time, and six at an other, besides those I spent myself, all whiche I toke out of my demeanes at Fawlye, to the number of sixty, and I toke as many thear the last wynter, and yet the grownd as well stored as any in the countrye, by letting go the olde ons for mates.

Between Michaelmas and the term dyed my ancient frend SIR ANTHONY BEN, of the Middle Temple, reader and recorder of London, and in his place was elected, by the king's letters, MR. RICHARD MARTIN, of the Middle Temple. He was made recorder by the sollicitation of sir Lyonell Cranfeild, master of the requestes, being tolde it shold be done for him, but he must be thankful. He consented, but knew not in what manner, and being elected, bestowed sum two or three hundred pound in gratuities, but was afterward made acquaynted that 1,500*l.* was to be payd, whiche was appoynted to be delivered by him to sir Edward Zouche, to help to make payment of 3000*l.* to sir Thomas Vavasor, whiche he was to have of him for surrendring his place of marshall of the house, into whiche sir Edward was to succeed. This money was layd downe by sir Lyonell Cranfeild for mr. Martin, but it lay so heavye at mr. Martin's hart after he knewe of it, that he fell ill and heavye upon it, and toke his chamber and never came forthe untill he was caryed to buryall. He died upon Allhallond eve, 1618. I was sent unto the next morning to stand for the place. I sent presently into London to my frendes the aldermen, and to the court. From the court I was certifyed from sir Edward Zouche he had 1,500*l.* in his purse upon the last placing, and he wold labor to keep that, and from a frend of sir Lyonell Cranfeild's that he had layd out 1,500*l.*, and was like

to loose it if he wear not salved upon the new election, and I was advised to cum in as a peeser up of that bracke.

But in the sicknesse of mr. Martin, mr. Shute of Grayes In had, by the lord marquesse meanes, moved the king and procured letters ready for the signature, whiche wanted only date and signing, and so soone as mr. Martin's breathe was out of his bodye had them signed, and sent to the maior and aldermen to elect him. The purport of the letters wear that he was commended to the king for a sufficient man, by the lord chancelor and lord cheef justice, and so pressing them to elect him. These wear delivered to the lord maior and aldermen upon Munday morning, being Alsoules day, but they wear parsonally sollicited by the chief justice, and by certeyne knightes sent from the marquesse, as they wear in Pawles churche, upon Allhallond day, whiche was the day after his deathe, and that withe mutche gesture and importunitye. I made meanes to the citye by sir William Cockayne, sir Thomas Bennet, Prescot and Bennet aldermen, and divers other sollicited by ther brethreen my very good frends, and had ther good opinion for the good service they conceaved I [had] done for the citye in the parliament. Upon Munday morning, being Alsoules day, they went to the election. I was advised to be in a frend's house in the citye, not far off, whiche I was. Mr. Shute came to Guildehalle, to the court of aldermen, in great braverye, withe manye of his frends accompanying him; he sent in his letters, and expected a present election. The first work was, who shold be put in election, whiche ar to be fowr, and the aldermen first go to that choyce by scrutinye. Mr. Shute's letters being red first, exception was taken by some frendes of myne, that the king, contrarye to his promis by his last letters, had this time pressed them withe letters; secondly, that he had commended unto them a man knowen to be unworthye and unfit for the place. The altercation grew warm between the courtiers' followers and the free citisens. At last, among other unfitnesses, it was alledged he was outlawed; it was so maynly denyed, that in all hast they that

affirmed it wear fayne to send for the record from the counter, whiche was broughte and shewed, and therupon the election brake up, and he departed withe highe and menacing speeches against them.

Upon this thear grew a great displeasure, THE LORD CHANCELOR toke it verye ill, and sent for divers of the aldermen [and] pressed them to give reason of ther refusall. They denyed. The king toke it ill, and, beginning to reprehend the lord chancelor for cawsing him to commend an unfit and unworthye man, he was justifyed by the lord chancelor to be a fit and worthye man, and made beleev it was sum matter of faction and private end, and requested the king to imploy him in finding of it out, whiche the king wold shold be so. Heerupon the lord chancelor ruffeled mutche withe divers of the aldermen, whome he sent for. Withe them he talked, bothe openly and togeather and singly and privately withe eatche of them, in his studye, to know why they refused, and to presse them to give an andsuer whiche he mighte retorn to the king. They told him they mighte not discover the secreates of ther counsell, nor give reasons why they [did] any thing in ther counsell-chamber, and therfore desired to be pardoned, and so kept of, and in the mean time sent a committee of four aldermen to the king, and to the marquesse, to satisfye them. When they wear broughte to the king, he demanded of them why they did not chuse mr. Shute, whome he commended by the information of the lord chancelor and lord cheef justice, mr. Shute standing thear by. The aldermen desired they mighte, according to ther charters, have a free election, without being pressed by letters. They wear pressed to give reasons why they refused him; mr. Shute charging them withe siding, and private ends, and that he had a major part, or at least the better. They affirming before the king, that he had not on man desired his being chosen, and being mutche urged, brake out into a discoverye of his being outlawed. The marquesse excused that, and tolde the king that it was upon an action sued against him, when he was a yong man, for a baterye. They replyed he was outlawed in fifteen more, and sum of them

wear for debt after judgement. So, after mutche altercation, it was thoughte by the marquesse an impossibil[it]ye to have him accepted of. Then the marquesse whispered the king in the ear. Then the king began againe with them, and told them he wold not breake ther priviledges, by writing, but sayd he wold commend an other to them, who as he was informed was a verye honest man, and a verye good lawyer, on mr. Heathe, and hoped that his word and commendation shold make his speed the better, and expected that they shold regard his request to them, as they wold hope for him to respect ther request to him. They gave his majestie great thankes, and tolde him they wold acquaynt their companye withe his majesties desire, and so departed.

This ROBERT HEATHE was the marqueses creature, and joyned in patent withe Shute for the receaving of the profits of the King's Benche office for the use of the marquesse, a man to well acquaynted withe the Scotts in the bedchamber, and a great agent in new suites and projects for greedy courteours. The citye wear straighte informed of the man. They distasted him. I followed my suit upon fair termes, of their freedom and myne owne, and had a sure major part. They proceed to a new election. It was perceaved that the king's commendation wold not prevail. The morning, as they wear togeather in Guildhalle, sir Lyonell Cranfeild came into ther court of aldermen withe a message from the king, in a manner charging them to chuse mr. Heathe, and no other, and that if they did not chuse him they shold forbear to proceed until they had given his majestie reasons of their refusall. Heerupon the counsell brake up, and they dispatched a committee of seven aldermen to the king, to desire him to withdraw his pressure, and to leave them to a free election.

He gave them a milde answear, but told them, if they neglected him he wold neglect them, and that they shold not look for grace and favour at his handes, if they did not regard what he requested at their hands, still pressed them for mr. Heathe, and bad them go to their election. The aldermen desired to know his pleasure,

whether he wold not give them leave to have a free election; he answered, I,* but still pressed his commendation, whiche he expected they sholde regard. His majestie was asked if ther wear any he wold bar from the place; he confessed but on, and that was mr. Thomas Crew, and spare him, and take any other in the kingdom, but still withe an item of his expecting their satisfying his request; and so they departed.

Against the time of the next election they understood all this was likely to be in vayne, for ther wear false bretheren among the aldermen. The principal or only on that was thoughte to deal so was sir Thomas Low, an ancient alderman that had been maior. It was discovered that for any thing done yet, I wolde be the man, and mr. Heathe be refused; therfore, to make all sure, the lord chancelor sent for divers aldermen, and dealt withe them; the king sent for the lord maior to the court, and had private speeche withe him, and John Parker, the nighte before, came to divers of the aldermen in the king's name, as sent by his majesty, acquaynting them that his majesties expresse pleasure was, mr. Heathe shold be recorder, and I, by name, shold not be, and gave sum reasons, as if ther had been a remembrance of my not pleasing the king in parliament. Delivering this message to sir William Cokayne, that knew him not, and understood of him he was secretarye to the marquesse, he asked him whether he wear sent by the king or by the marquesse; he answered him, from the king himself, and he wold not for his hed say so if it wear not true.

I was presently acquaynted withe this, and that the message was done to most of the principall aldermen and my best frendes, and it was in that manner that I thoughte it not fit to continue my competition, and therfore, by the advise of my frendes, gave order to sir William Cokayne to renounce my competition at sutche time as he saw cawse. The next day they went to election. It was understood by my frendes how to make it sure for Heathe. A bar was

* Aye.

put in against me; they therfore thoughte upon a course to obey in not electing me, and yet to put by Heathe, and that was by putting MR. WALTER into election, who was so famous and worthye that the voyces wear likely to go for him, if it mighte appear he wold accept of it, for he had before openly affirmed he wold not have it. I, when I perceaved I mighte not have it, gave out I knew he wold take it if he wear chosen, thoughe he wold not sue for [it]; and I had reason to think so by sum of his frendes. This plot being layd, the election was begun in full court of the lord maior and twenty-four aldermen. Four wear to be put in election. I was first named by sum that knew not anything to the contrarye. They that knew it began to make a pawse that seemed strange, bycaus they wear my frendes, as namely sir Thomas Bennet and other. The matter began to breake out, and sum altercation was likely to ensuy, for thear wear those that wolde have gone thoroughe withe it, and taken no notice of bar against me. But, to quiet all, sir William Cokayne stood up and signifyed unto them, that I accommpted myself verye mutche beholding to them for thear loves, but for sum reasons I was resolved to forbear to be put in election. They knew he was my principall frend, and did not doubt of his warrant to renounce, and toke it that I had good reason to do so, otherwise I wold not reject thear goodwills. Mutche was spoken on my behalf, and more muttered of the course taken against me, and so an end of my businesse.

They bare no goodwill, as it seemethe, to mr. Heathe, in the election, for of the twenty-five that wear thear eleven gave thear voyces to mr. Walter, and on, that was sir John Garret, openly professed against that course held, and that he had been at the chusing of ten recorders and never knew sutche proceeding, and seeing I did not, nor mighte not, stand to have his voyce, he wold not give it to any other, and so gave no voyce. Thear wear fowr put in election, as the manner is, but two of them only had voyces, the other wear cyphers; mr. Walter, the prince's attorney, sir Thomas Ireland of Grayes In, and mr. Hedlye of Grayes In. When all was

done my frendes the judges made merye withe me, and tolde me, I !* they herd I went not so far as mr. Shute, to be nonsuit, but when I saw it mighte not be, toke out my record.

In this two good qualityes of the time wear practised; the on, I was barred from that by highe hand whiche by the libertye of a subject was lawfull for me to ask, and I was sure by a fair course to have obteyned, and this as a revenge for doing my duty in parliament when time was. The other, that whiche is thear owne they mighte sell, none wolde expect the contrarye, but in this they wolde sell that whiche was the free voyce of others, for thear is little doubt but that mr. Heathe must pay the 1,500*l.*; I understand sir Lyonell Cranfeild meanethe not to pay it himself, thoughe he layd it out, and sir Edward Zouche hathe payd it to sir Thomas Vavasor, and 1,500*l.* more, and is in his office of marshall of the house. My frends merely tell me, I am *Reminiscor* thoughe not recorder, and that mr. Thomas Crew was *Memini.*

This vacation, between Michaelmas term and Christmas 1618, the lord chancelor, at the instance of the marquesse of Buckingham, steward of the liberties of Westminster and st. Martin's le Grand, for the dean and chapter of Westminster, granted a speciall commission of the peace for those liberties, in whiche I was of the quorum, withe the dean and other of their frendes.

This monethe of December, about on week before Christmas, dyed my olde frend MR. HENRY STIRRELL, that was appoynted to be reader of the Middle Temple at Lent following. He and I wear of on time, and his wife was my wife's kinsewoman. Her mother was sister to Robert Drewrye, father of olde sir Henrye Drewrye.

This vacation, between Michaelmas term and Christmas, a speciall commission of the peace was granted to the citye of Westminster by the lord chancelor, at the instance and request of the lord marquesse of Buckingham, highe steward of the sayd citye and libertye. It was dated 23 Dec. 1618, 16 Jacobi, [and] extended to st. Martin's le Grand as well as Westminster. I was made deputye custos rotulo-

* Aye!

rum to him in bothe liberties, by his writing under his hand and seal, dated 12 January, 1618. The first session of the peace was kept 19 January, 1618, at whiche time I, as recorder, gave the charge, and sat next the dean, who sate in the middle.

Presently after Christmas, by the same meanes, was a commission of nusances granted for the libertye of Westminster.

By the untimely deathe of mr. Stirrell, *qui obiit in Decemb.* 1618, mr. William Rives, who was appoynted to read in summer, was called to read the next Lent, and I was called up to the benche in Hillary term, and appoynted to read in summer next, *Lunæ*, 2° *Augusti*, 1619.

I left the circuit at Bridgenorthe, and went not to Stafford, and so came to London, upon Saturday 24 Julij, to prepare my self toward my reading; and that week, according to the custom, I kept commons in my lodging, and allowed speciall achates of myne owne.

Venison given to my reading, and the fees.

In the term, for the benche table.

Bucks.

2 Junij, mr. chancelor of the duchye, 1 buck, 13ˢ.
5 Junij, mr. Whitton, 11ˢ.
9 Junij, mr. Walter Py, sans fee.
12 Junij, sir William Udal, 13ˢ.
Eodem, mr. Henry Bulstrode, 11ˢ 6ᵈ.

Stag.

30 Julij, mr. Henry Bulstrode, a stag, 22ˢ.

At the reading.

Bucks by euerye on of these, and my fees.

Mr. Thomas Read, 2ˢ 6ᵈ.
Mr. Walter Pye, 15ˢ.
Sir Richard Lovelace, 13ˢ.
Chancelor of duchy, 12ˢ.
Mr. Thomas Trist, 12ˢ.
Sir Richard More, 11ˢ.
The bishop of Lincoln, 12ˢ 6ᵈ.
Sir John Dormer, 12ˢ. 6ᵈ.
Mr. Thomas Bramston, 3ˢ.
Mr. Curl, 2ˢ.
Sir Henry Britten, 10ˢ.
Sir William Borlas, 15ˢ.

Mr. Robert Pye, 19s.
Sir John Garret, 13s.
Sir William Pyt, 12s 6d.
Mr. Richard Lane, 11s.
Cornwel Ducat., 13s 6d.
Sir John Sams, 12s 6d.
Sir John Tyrrell, 13s.
Sir Robert Vernon, 13s 6d.
Justice Croke, 13s.
Mr. Robert Tanfeild, 10s.
Bishop of Lincolne, 13s 6d.
Sir Baptist Hikkes, 13s.
Mr. John Hoskins, 13s. 6d.
Mr. Hughe Holland, 14s.
Sergeant Frauncis More, 13s 6d.
The erl of Bridgewater, 14s 6d.
Sir George Rivers, 14s 6d.
Sir Henry Browne, 13s.
Mr. sollicitor, 13s. 6d.
Mr. Clifton, 13s. 6d
Mr. Rowlye Ward, 13s. 6d.
Sir Edward Sackvild, 7s.
Sir George Wrighte, 5s.
Sir John Wolstenholm, 12s 6d.
Mr. Cholmley, 10s.
Sir Edward Zouche, a side of stag, 3s.
The erl of Northampton, 15s 9d.
Mr. Nicolas Overburye, 15s 9d.
Sir Richard Titcheborn, 8s 6d.
Mr. Hughe May, 12s. 6d.
Sir Richard Beaumont, 13s 6d.
Cornwel Ducat., 11s.
Mr. John Bridgeman, 13s.
Sir John Walter, sans fee.
Raphe Ratlif, a warrant.
The countesse of Bedford, 12s 6d.
Sir William Kiligrew, 13s 6d.
Sir Frauncis Egiock, 12d.
The lady Gostwick, 3s 6d.
Sir Thomas Wilson, 13s 6d.
Mr. Nicol. Hyde, 13s 6d.
The countesse of Bedford, 12s 6d.
Sir John Townesend, nihill.
Mr. Andrew Windsor, 6s.
Sir Thomas Read, 12s.
Sir William Herrick, 8s.
Sir Thomas Wilson, 6s.
Sir Oliver Cromwell, 11s.
Thomas Whitelocke, 5s.
Oliver Ashcomb, 12s 6d.
Sir Henry Croke, 10s 6d.
Sir William Bulstrode, 2s.
Mr. Richard Daston, 13s.
Mr. Parkes, 10s.
Sir Thomas Watsonn, 13s.
Sir William Twisden, 14s.
Mr. Edward Turner, 12s.
Sir Benjamin Rudyerd, a warrant.
Mr. Edward Lason, 14s.
Sir Henry Stonor, 8s 6d.
Mr. Giles Browne, 12s 6d.
Sir Henry Compton, 13s 6d.

Mr. Hughe May, a warrant.
Mr. Frauncis Winnebanck, a warrant.
He an other warrant.
Sir Fulk Grevill, a warrant.
Secreatarye Calvert, a warrant.

Given me in all, buckes 83, on stag, and a side.
Rewardes of my venison . . £41 15*s.* 0*d.*

Value.	Other giftes.	
1l 16s 8d.	My brother Henry Bulstrode, 4 swans . .	3s.
13s 4d.	Mr. John Whitelock, a sugar loaf, reward . .	nihil.
6s 8d.	Baron Sotherton, a martchepayne * . . .	2s. 6d.
13s 4d.	Robert Lea, a sugar loaf, reward . . .	1s.
40s.	Sir William Cockayne, a firkin and keg of sturgeon	
13s 4d.	My brother Richard, a keg	
26s 8d.	My cosen Richard Whitelocke, a firkin	
13s 4d.	Mr. Batson, a keg of sturgeon . . .	2s.
13s 4d.	My cosen Ashcomb, a keg	12d.
26s 8d.	Mr. Thorp, two sugar loafes . . .	2s.
13s 4d.	Mrs. Jenkinson, on sugar loaf	
4l 10s.	Sir John Wolstenholme, a hogshed of wyne .	5s.
30s.	Mr. Palmer, a tierce	
13s 4d.	Blunt and Smalewood, a sugar loaf	
26s 8d.	Mr. Wormleighton, two sugar loaves . .	2s 6d.
3l 10s.	St. Dunstan's, a rundlet of sak and 2 sukar loafes. .	2s.
34s.	Mr. Litton, 12 puits † and 2 phesants . .	3s.
6s 8d.	Mr. Chambers, a marthepayne . . .	2s.
13s 4d.	Mr. Dudsun, a keg of sturgeon . . .	2s.
40s.	Mr. Pawl Croke, 3 sugar loaves . . .	2s.
24s 8d.	My cosen Ashcomb, 2 phesants and 4 partriches .	12d.
3l 4s.	The ladye More, 6 capons, 12 partriches, 12 quayles, 5 trouts	7s.
6s 8d.	Mr. Dogget, a marthepayne . . .	12d.
	Sir William Herrick, summer fruit . . .	12d.
4l 10s.	The Middle Temple, a hogshed of wyne	
13s 4d.	Mr. Newberye, 8 partriches	12d.
13s 4d.	Mr. Knighte, a sugar loafe	12d.
40s.	Mr. Ford, a freshe samon	
6s 8d.	Mr. Dogget, a marthepayne	
40l 0s 0d.[?]	Rewardes given	42s.

* Pastry, or biscuit, of almonds and sugar, on a bottom of wafers.

† Puits or pewits.

Giftes in money.	£.	s.	d.
My lord of Durham	22	0	0
Eton College	10	0	0
Mr. George Croke	3	6	0
Sir Richard More	3	6	0
Merton College	11	0	0
St. John College	5	10	0
My mother in law	5	10	0
The house for an admittance	5	0	0
My lord of Rochester	5	10	0
Mr. Hoskins	3	6	0
Aquila Weekes	2	4	0
Mr. Edw. Smithe	1	2	0
Mr. Norris	1	13	0
Mr. Rives	2	4	0
Mr. attorney generall	5	10	0
Mr. Sheepwashe	1	2	0
Dr. Newall	2	0	0
Giftes otherwise, as p. 72.	40	0	0
	130	3	0

Rewardes for these giftes.			
To mr. attorney's man	0	11	0
To Eton College servant	0	11	0
Cates, as by the billes appeer	183	2	3
Wyne (beside given), 1 hogshead of claret, 1 rundlet of sack of 18 gallons, of canarye of 17 gallons, with the charges	9	19	2
Of Renishe on gallon	1	7	6
Apparell	54	3	7
Liveryes	27	0	0
Charges aliter, as Anthonyes bill 19 Aug.	1	19	6
Rewardes ut supra	3	4	0
Rewards for venison	41	15	0
Charles, bill for horses et simil. 19 Aug.	1	18	1
Charges out of Rich. bill—Aug.	1	5	8
Losse in pewter	3	18	0
	[?]329	7	9
Provisions given me	40	0	0
Expensæ	369	12	9
Dona	130	3	0
Spent de claro	239	9	9

Upon Sunday the 1 of Aug. I procured the dean of Westminster * to preache withe us. I went to churche everye morning and evening the whole reading, accompanyed withe sutche benchers, cubberdmen, and senior barristers as wolde goe withe me. I red everye Munday, Wednesday, and Fryday, the two first weekes in August. Upon those dayes on whiche I red thear was a breakfast in the parliament chamber, not on the other.

Upon Munday, the first day, after breakfast, I went to the cubberd, and thear, before all the house, toke the othe of supreamacy, then went to my place, the northe end of the long table, whear mr. Palmer, a Londoner born, my sublector, red my statute, 21 Henry VIII. ca. 13. After whiche I began, first made a speeche, and then went to the statute, proposed my divisions, and put upon the division of that day ten cases, of whiche the puisne cubberd man chose on, and began *pro* and so *contra*, *alternatim*. Two benchers appoynted to attend the reading wear mr. Ford and mr. Rives, but nether of them came. Mr. Sturly and mr. Hudson wear withe me, *alternatim*, on the on day the other the other day.

In the end of Trinity term, according to the order of the house, I went to all the judges of our house, accompanyed withe three of the ancient benchers, and made them acquaynted withe my statute; so I did the benchers in towne, sum two or three dayes before my reading, and sent unto them to have their companye. My statute was published at the benche table upon Sunday after supper, the nighte before my reading began. The first Fryday after the reading began I and sum of the ancients went to Tuttle † and played at bowles, according to the ancient custom, and ther the dean of Westminster met us, and played withe us.

I ended the Fryday senighte after I began. Presently after service, I and the benchers went to the cubberd, whear I gave them thankes by a speeche, and then was answered by the senior bencher; then I went to my place, and red my division, and put my cases; then the two puisnes spoke to a case. I toke it of them, went

* Robert Tounson, D.D., afterwards Bishop of Salisbury. † Tothill fields?

thoroughe the case, breefly opening the poynts only, whiche being done, I uttered my conceites; after whiche the third man began an other case, but after he had put it, and before he began to argue it, the senior bencher interrupted him, and tolde me of that case they wold expect my opinion the next term, and so we rose, and went to dinner in the parliament chamber. That nighte, half a skore of the gentlemen, of whiche my underlector was on, and two of my stewards that wear under the bar, mr. Ticheborn sun and heir to sir Walter Ticheborn and mr. Raynesford sun and heir to sir Henry Raynesford, mr. Hoskins, mr. Borlase, came withe me to Windsor, wheer I layd in a buck, and thear they bore my charges, and the next day I came home, and sume of them withe me, and stayd untill Munday, and then went back.

My two stewards of the bar wear mr. Ward and mr. Estmond.

I sat bare when I red, but double readers sit covered; yet toke place at all other times, and at the table, of all that came to me. Thear red in Lincolnes In, mr. Hindes, my ancient, in the inner house, mr. Heathe, my puisne, recorder of London, and in Grayes In, mr. Jones, my puisne, common sergeant of London. I had gesste in my reading the master of wardes,* the master of the rolles,† the sollicitor,‡ sergeant Davis, the king's sergeant heer and in Ireland, the king's attorney,§ the dean of Westminster, and divers knightes and men of good qualitye. At the feast I had the embassadour of the Low Countryes,‖ the archbishop of Canterburye,¶ the privie seal,** the archbishop of Spalata,†† the bishops of London,‡‡ Rochester,§§ and Llandaff,‖‖ nominated to Chichester, the lord Norris,¶¶ the master of the wardes, the dean of Westminster, and divers knightes and gentlemen, and at the feast I admitted the archbishop of Spalata,

* Sir Lionel Cranfield, as to whom see p. 76.
† Sir Julius Cæsar.
‡ Sir Thomas Coventry.
§ Sir Henry Yelverton.
‖ Sir Albertus Joachimi.
¶ Archbishop Abbot, 1611-1633.
** Edward earl of Worcester, 1589-1628.
†† Marc Antonio de Dominis.
‡‡ Bishop King, 1611-1621.
§§ Bishop Buckeridge, 1610-1628.
‖‖ Bishop Carleton, of Llandaff 1617-1619, of Chichester 1619-1628.
¶¶ Francis lord Norris, and afterwards earl of Berkshire, 1601-1620.

the dean of Windsor, and master of the Savoy,* and sir Henrye Foliot, a great soldiour of Ireland. The feast was on Tuesday the 10 of August.

This reading I admitted into the house my only sun BULSTRODE WHITELOCKE, being 14 years of age 3 dayes before.

In Michaelmas term 1619, Rowland Searchefeild, dr. in divinity, lately made bishop of Bristoll, who was fellow of st. John's in Oxon and my tutor when I was chosen scholler thear, gave me an annuitye of 40*s.* the year for my life, to be of counsell withe him. The patent is dated ————.

This term Richard Okely, that had served me a clerk ten yeares,† went into commons in the Temple to studye: he was then my deputy courtkeeper, and clerk of the peace for Westminster.

This term WILLIAM REEVES, that red last before me, was knighted and went attorney generall into Ireland, in the rome of sir John Davis, to whome he gave 950*l.* for his gudwill, and a large gratuity besides in court.

Upon Sunday the 23 of January, 1619, SIR JOHN CROKE, my wife's unckle by her mother, on of the justices of the King's Benche, dyed at his house in Holborn. He was full 65 yeares of age upon the 15 of the same monethe. He was a vertuous and religious man, verye kinde and affable to all lawyers that practised before him, and all suitors that had to do withe him. Justice Winche ‡ came into the circuit in his place, and sergeant Davis went into the northe in his place, as justice of assize.

My verye worthy frend SIR LYONELL CRANFEILD, master of the wardes, was made a privie counselor Michaelmas term 1619. He was the only man imployed against me by marquesse Buckingham to put me from the recordership of London, and yet ever sithence hathe shewed himself my verye honorable and worthye frend, in

* The archbishop of Spalato was both dean of Windsor and master of the Savoy.

† Foot-note by the writer.—Came to me Trinity 1609.

‡ Humphrey Winch, judge of the Common Pleas 7 Nov. 1611—4 Feb. 1624-5. Foss's Judges, vi. 201.

heering me in court before others. This gentleman was sun of a citizen, born in London, was a marchant, and free of the mercers, and came into the notice of the king by shewing diligence and circumspection in the case of his profit, to inform him of deceipts done to him in the profits due by his customes, and was so well liked by him for his faythe and trustinesse, that he [was] imployed mutche in these courses. He was controller of the custom house, then master of the requests, *honoris causâ*, then master of the wardrop, after master of the wardes, *commodi causâ*.

Note.—I found a note of myne owne taken by the relation of justice Williams and justice Yelverton unto me, that Yelverton red in Gray's In, 16° Elizabeth, and Williams was not called to the bar untill 18° Elizabeth, yet did ride justices of assize togeather.

SIR HENRY SAVILL was made provost of Eaton at Whitsuntide, 1596, being then warden of Merton College in Oxon. He was then 47 year olde, wanting to st. Andrew's tide after. He tolde me, that queen Elizabeth made dr. Bikly, warden of Merton College, bishop of Chichester, to make him warden thear, and docter Day, provost of Eton and dean of Windsor, bishop of Winchester, to make him provost thear.

My loving frend and ancient collegue DR. WILLIAM LAWD, sumtime fellow of st. John's College in Oxon withe me, and now dean of Glocester, and president of st. John's, and archdeacon of Huntington, tolde me, 7 November, 1619, that he was then 46 year olde.

Myne ancient acquayntance DOCTER JOHN HOWSON, sumtime of Christchurche in Oxon, and now bishop of Oxon, upon the 22 April, 1620, at his house at Brightewell, whear he is parson, did give me a patent of 40*s.* *per annum* for my life, *pro concilio impenso et impenendo*, and 20*s.* in hand for our ladye day payment past. The patent was dated 9 November 1619, for it was then engroced at his request.

Upon the 18 of June 1620, I received from William erl of Northampton, president of the counsell within the principality and marches

of Wales, a warrant under his majesties hand, for a sergeant's writ, *in hæc verba.*

JAMES R.

James, by the grace of God, of England, Scotland, Fraunce, and Ireland, defender of the faythe &c. To our righte trustye and welbeloved counselor Frauncis lord Verulam, lord chancelor of England, greeting. We will and command yow, that, upon the sighte heerof, and by virtue and authoritye of the same, yee direct forthe, under our great seal of England, on writ according to the tenor, form, or effect heerafter ensuying:—"Jacobus, Dei gratia, Angliæ, Scotiæ, Franciæ, et Hiberniæ rex, fidei defensor, &c., dilecto et fideli nostro Jacobo Whitelocke de medio templo London. armigero, salutem. Quia, de avisamento concilii nostri, ordinavimus vos ad statum et gradum servientis ad legem, in quindena sanctæ Trinitatis prox. futur. susceptur. Vobis mandamus firmiter injungendo quod vos ad statum et gradum predictum ad illum diem in forma predicta suscipiend. ordinetis et præparetis. Et hoc sub pœna mille librarum nullatenus omittatis. Teste," &c.

Upon the same 18 of June, I receaved from my lord of Northampton an other warrant to mr. sollicitor, under my lord of Buckingham's hand, in these wordes:—

MR. SOLLICITOR,

Forasmutche as it is his majesties plesure that James Whitelocke of the Middle Temple, London, esq., shall have the office of justice of Chester, and sutche other offices as sir Thomas Chamberleyne now holdethe, These ar to pray yow to cawse bills to be made for his majesties signature for the sayd offices, in sutche manner and form as the sayd sir Thomas Chamberleyne now holdethe the same; and this his majesties pleasure signifyed unto me shall be your warrant for the same. Dated the 14 day of June, 1620.

G. BUCKINGHAM.

This writ was sealed upon Munday the 19 of June,* and upon my receaving of it, according to the ancient order of the house, I was set uppermost at the benche table.

I did appeer in chancerye upon st. Peter's day;† I cam to the bar when my lord called for me, untill then I leaned at the side bar

* Note by the writer—*Teste* 19 *Junii*, 18 *Jacobi.* † June 29.

withe two of our readers. The tipstaff attended me up to the bar. Then I made my *congé*, and presented the writ, praying my apparance to be recorded. The clerk of the petit bag toke the writ. Then my lord chancellor began his speeche to me, to this effect:—

Mr. Whitlocke,

The king's most excellent majestie being well informed of your sufficiencye, hathe, out of his favour, grownded upon your merit, well impressed by good and due information, called yow now to the state and degree of a serjeant at law, but withe an intention not to stay yow thear, but to rayse yow higher, to serve him as cheef justice of Chester, in the place of sir Thomas Chamberleyne, whome he dothe resolve to call home to be his judge heer in the King's Benche. Yow ar the more bound to the king by how mutche the more this time dothe florishe withe able and lerned men, wherof this age is full.

That I shall say to yow shall be in few words, and in two kindes. I will not speak at all to matter of pleading, for yow ar not to plead meerly, but your degree of serjeant is a step to your other place.

First, therefore, I will speake of the dutye of a judge in generall, and then of the proprieties therof applied in particuler to the place yow ar to go to.

For the dutye of a judge in generall, it is a common place oft spoken of. The grownd of all is the science and knoledge of the common law, the statutes of the kingdom, and the customes of the realm, according to whiche yow ar to deal in this your place. Yow ar well red in the law, and well seen *in archivis regni*. Yow ar a man diligent and expert in the records of the kingdom, whiche is a great supplement and lighte to the law. Yet now keep no holiday, no, not in studye, nor go from your bookes to your brain, but continue then your studye as well as now, when yow ar a sergeant and practiser. Be patient in heering of cawses, for what is it the better if a judge be lerned in generall and *in thesi* he be not attentive to heer the cawses before him? Have patience, therfore. In heering, make no catching heerings. Have a slow pace; judges make no hast. Keep your hands clean, and the hands of your servants that ar about yow. Keep them in aw, that they dare not move yow in things unfit. Fly all bribery and corruption, and preserve your integrity, not respecting any in course of justice, for what avaylethe it, if yow shold be incorrupt, yet shold be partiall, or a respecter of persons? As Solomon saythe, to have respect of persons is not good, for a peece of bred that man will transgresse; as who shold say, bribes cum but now and then, but if a man be affectionate, or a time or turn server, that will cum every day. Lastly, I wold have yow take care that you be not overawed. Fear no man's face; be stout and couragious in cawses of justice. But when I say this to yow, I mean

yow shold be strong harted, and not strong headed. I passe from the generall dutyes of a judge, bycaus it is everye day spoken of, to the things that concern the proprieties of your place, in whiche yow have two respects: on as judge of Chester, an other as having a principall place in matters of advice in counsell of state. In regard of the first, keep good quarter withe Westminster halle, and make no new clashes[?] of reviving olde sores, but study well your instructions, and be sure yow exceed them not; then shall I be ready to stretch forth my hand and arm to help yow, clayme it at my hand when yow will.

Yow ar a great judge in a provinciall counsell, and what ar they ordeyned for? First, for the case of the subject, that subjects shold at lesse charge have law; secondly, bycaus great men sholde not oppresse the poor and hurry them up to Westminster halle. First, therfore, let ther be an ease of charge, for if the courtes thear shall poll and multiply charge upon the people, then that whiche was ordened for ease of charg will torn to a surcharge. Secondly, look to suppresse the powr of sutche gentlemen in the countrye that seek to oppresse and suppresse ther poor neighboures, for it is no great ill in a judge (thoughe I have herd it hathe been layd to sum men's charge) that in cawses before them the poor have advantage against the ritche. If it be so, it is an error on the best side. Lastly, my advice is that yow keep a good correspondencye withe the lord president, under whome, in a manner, yow serve, for whiche I will say unto yow, as I did unto sir William Johnes, "Be not to servil nor to severe." I mighte have spoken al this in a few wordes, in the example of on man, your predecessor, who for religion, for lerning, for stoutnesse in course of justice, for watchfulnesse over the peace of the people, and for relation of matters of state to the counsell heer, I have not knowen (no disprayse to any) a better servant to the king in his place; follow him. And so, for this time, I shall wishe you all wellfare.

To that speeche I made this answear:—

May it please your lordship, It is observed that the whole course of life of a professor of the law is devided into three passages. The first, is his time of study, and that is, *ars longa et tempus breve*. The second, his time of practise, and that is, the fruit of his studye. The third, his time of service to his countrye, and that is, the discharge of his civill dutye to the commonwealthe in sutche place as he shall be called unto. So he begins *philosophus* in getting knoledge, goethe on *œconomus* in getting meanes of livelihood, ends *politicus* in serving his countrye.

To the first of these I came late, and so my knoledge the weaker, yet it was the saying of a good proficient in the law, *sero veni, sed citius expediam.*

From the second of these passages I shall go to soone for this degree I now

take, whiche is, the character of my profession must be layd aside, and so my meanes will be the shorter, for I understand by your lordship it is the king's pleasure I shall prepare myself to the third passage, by whiche untimely adventure upon so great a service I shall be the lesse able to discharge my dutye therin. I doe withe all reverence apply myself to his majesties command, and do acknoledge that regard of private gayne oughte not to hold any man back from publique service. I take those to be incompatible respects. It was the direction of Christ to the yong man in the gospell, *Si vis esse perfectus, vende quæ habes, da pauperibus, et sequere me.* Surely, my lord, I hold an analogie withe that rule is so far to be observed by us, that upon his majesties command we must leave ourselves, our clyents, our practise, and all respect of gain, and follow him and his service.

This is dutye, but this dothe not salve those disabilityes whiche cannot be but manye in me, that have spent my whole time in a private course, and am a stranger to the misteryes of government.

For my help heerin, your lordship hathe now, by your comments and instructions, given me a perfect modell, and rule of my dutye, and I shall continue an humble suitor to your lordship, that prudently steeres under a skillful master, that yow will be pleased to afford me these two supports in my place of service; direction what I am to do; good construction of that whiche I shall do: and by these helps I hope to repair those weaknesses whiche ar the more blemished by the glorye of my worthye predecessor, whose excesses in merit and worthe make my defects the more apparant.

For thankfullnesse to his majestye, whose favoures towards me exceeds the boundes of my apprehension of them, I must falle into a distraction withe myself, as the psalmist did, *Quid retribuam domino regi, pro omnibus quæ retribuit mihi?* and my answear shall be, as his, *Vota mea reddam illi in conspectu populi ejus.*

My vowes to his majestye, in retribution of his great grace, shall be two, before this great assembly. The on of endeavour, the other of assurance. That of endeavour, that I will do my best to attain to that knoledge and other abilityes which ar requisit for the place. That of assurance, that in honestye I will not cum behinde the best of those that have gone before me.

When I had done my speeche, the clerk of the crowne gave me the rolle of othes. I was to take the othe of supremacye, and of allegiance. I red myself the sergeant's othe; he red as followethe:—

"Yow shall swear, that well and truly yow shall serve the king's people, as on of the sergeants at law, and yow shall truly counsell them that you shall be

reteyned withe, after your cunning. And yow shall not defer, tract, or delay their cawses, willingly, for coveteis of money, or other thing that may torn to your profit, and you shall give due attendance accordingly as God yow help,"

and upon this I was dismissed.

Upon Tuesday morning following, we assembled all in the Middle Temple halle, whear mr. John Lee the tresaurer made a speeche and gave me 10*l.* and a purse, as a farewell from the Temple. I did answear him in this manner.

Mr. thesaurer and the rest of this worthy societye, I hold it verye unpleasing to a sociable disposition to be deprived of the dayly conversation of ancient frends.

I am likely to be sensible of this, for, thoughe I have found yow all my worthye frends, and assure myself of the continuance of your loves, yet I fear that by my remove I shall misse sum of the effects of it.

As first, in those whome I may calle my *coætanei*, for we began togeather in the universitye, came hether togeather, and have lived togeather ever sithence, and our loves and affections have growen up togeather, like vegetative bodyes.

Secondly, in those upon whose acquaintance I did fortunately happen at my first cumming hether, and we may be called collegues, for we have lived togeather ever sithence in participation of studyes, in doing of exercises, in taking our degrees, and for 28 yeares, almost compleat, have been *collaterales*, and sat on by the others side.

And, lastlye, in the whole bodye and societye in general, who have alwayes been a cherisher and upholder of my progression in this place, and have shewed ther loves unto me by two pledges; thear bountifull gift at my reading, and that now.

Mr. thesaurer, it wolde be verye uncouthe to me to be cut of from these contentments, and to lighte upon new men and new manners. It is not my meaning so to do. I shall *solum mutare non animum*, and my remove shall cawse only separation of our bodyes, not a divorce of our mindes.

Thear be two thinges I shall ernestly endeavour in recompence of this your kindenesse. The one is, how to repair the dayly want of your good and kinde companyes, that shall be by inviting yow to make bold withe me in any thing whearin I may do yow curtesye. The other is, to give yow assurance that whethersoever, or to what fortune soever, I am caryed, I will strayn my power to equall my will to do all of yow what offices of love, frendship, or curtesye I may.

Then they attended me to Sergeants' In, in Fleet Street, whear, my partye-colored robe being put upon me, in my chamber, I was conducted into the halle by the tipstaves, my skarlet hood, and my coif layd upon it, beyng caryed before me, by my man.

The two cheef justices sitting bothe upon the form, I began to my lord Hobert. "May it please yow, my lord Hobert,"* and repeated pleadings. When I had done that, my lord cheef justice Mountague made me a short speeche, and then, I kneeling before him, put my coif upon my hed, and my skarlet hood upon my righte shoulder, and so being invested, rose up and went to the hall, all my men two and two before me, withe the officers of the Common Pleas and the Exchequer, and next before me the warden of the Fleet and usher of the Eschequer. I went withe the white coif only upon my hed, and at my lower elbow, toward the kennell, went on of my men bare-hedded withe my skarlet hood born upon his hands; the whole society of the Middle Temple followed me. At the hall I was placed at the stalle righte against the Common Pleas bar; thether the two ancient sergeants came to me, and as they came from the bar they turned, and made *congé* to the court three times; then, on upon the on side and the other upon the other side, led me to the bar, and as I went I and they made low curtesye three times. When I came to the bar I made a low curtesye and repeated my pleadings, and was then, by the appoyntment of the court, placed, and led to my place by the two sergeants, on the northe end of the bar, next to sir William Jones that had been cheef justice of Ireland. When it came to my torn I made my motion, and so went home to Sergeants' In.

At dynner [I] sat at the table's end in a black robe and skarlet hood, and my coife only upon my hed; thear dyned the judges, sergeants, attornies of wards, [and] dutchy, *custos brevium*, and prenotaryes.

* Sir Henry Hobart, chief justice of the Common Pleas 27 Nov. 1613—26 Dec. 1625. Foss's Judges, vi. 328.

Charges of my degree of serjeant.

	£	s.	d.
In apparell and robes	61	19	9
In a feast	63	5	3
Sumpter and saddle for it	6	10	0
Fees to officers	10	13	4
Rings given *	45	14	8
A piece of plate to the chancelor	19	3	5
	£207	6	11[?]

Memorandum, I made no black robe, nor purple, bycaus I was not to ned them, but only a partye-colored and a skarlet; the partye-colored, a robe, a hood, and tabard; the skarlet, a robe and hood.

I rode circuit withe six horses, a sumpter, and fower men.

I rode circuit in summer 1620, serjeant at law, and practised in my partye-coloured robe on Sundayes and holidayes, bothe in the circuit and in the term. My habit was purple, and a skarlet hood. Most of the serjeants wear of opinion I sholde have practised all the circuit in my purple robe and skarlet hood, and did instance that they did so in the Northamptonshire circuit the last calle.

I gave the charge at Wickham sessions 5 October, 1620.

My two patents, on of Chester and Flint, for my life, the other of Denbighe and Mountgomerye, *durante beneplacito*, wear dated 29 October, 1620, but sealed 30 October.

I waited upon the king at Theobalds 29 October, and toke his directions and charge concerning my places I was to go to; it was in his bedchamber; thear wear present the prince Charles, the marquesse of Buckingham, the erl of Northampton, lord president, and mr. Maxwell of the bedchamber. I attended in my skarlet robes, and was knighted thear in the bedchamber. The next day thear was a bill sent me of fees for knightehood, amounting to 44*l.* 17*s.* I was sworn at York House upon the last of October 1620, to the offices of Chester, Flint, Denbighe, and Mount-

* The poesy: *Robor legis decor regis.*

gomery. I dyned with the lord chancelor, and it was presently after dinner.

A question was proposed at Serjeants' In, Fleet Street, whear my place sholde be at the table, and, upon report of the last president, it was ordered I shold sit next to the puisne judge, and before the king's serjeants. But I wold [*sic*] told sithence by sir Henrye Townesend, on of the counsell, that his father, being cheef justice of Chester, toke place next to the cheef baron.

Upon Wednesday, being all hallowd day,* I dined in the Middle Temple halle, and was the first at the table. Thear wear present sir John Davis the king's sergeant, that sat against me on the form side, serjeant Frauncis More knighte, serjeant Frauncis Hartye, and serjeant Frauncis Ashlye knighte, sir Benjamin Rudyerd knighte, surveyor of the court of wardes. The serjeants sate in skarlet; I ware a gowne of wroughte velvet.

On Fryday and Saturday after, I did visit the prince, the marquesse of Buckingham, the erles of Worcester, Pembroke, Arundell, Montgomerye, the master of the wardes, secretarye Calvert, and sir Edward Coke, and all the judges and barons of the eschequer, and the prince's counsell table.

On Sunday I bestowed a doe upon the Middle Temple and dyned withe them. I came forthe of London upon Munday, withe eight men in my liverye, a sumpter and a spare horse. Upon Fryday I lodged at Beaudlieu,† in the king's house, enterteyned by the lord president's officers. The towne enterteyned my horses, and the bailives and principall burgeses came all up to me to my lodging and thear presented me withe wine. I came on Saturday to Ludlow, whear I was enterteyned by the bailives and townes men in ther gownes, withe two orations in Latin, in the market place, and an Englyshe on at the castle gate, by the schollers of the towne.

Upon Sunday, 12 November, the president, counsell, and all counselors receaved the communion at the chappell of the castle.

* Nov. 1. † Bewdley.

Upon Munday morning I was sworn, in this manner:—

I and the three counselors went in skarlet, my lord president in his damask gowne of black. When we came first into the court the rest sat all downe, and I stood and delivered the king's letters under his signe manuell directed to the president and counsell, signifying my being cheef justice of Chester, and his majesties pleasure to have me of the counsell; my lord delivered them to the clerk to read, who did it accordinglye. After the letters red, I kneeled downe and toke my othe; then rose up, and was placed by my lord upon his righte hand withe a distance between us, as was usuall. After I was sate downe my lord made a speeche to bid me wellcum, towching the king's choyce, his love to me, and my worthe. I answered him to to this effect.

My lord, I did not conceave that ether custom or necessitye wold have put it upon me to have spoken publiqely upon this occation, but, seing your lordship hathe begun, it befits me to follow yow, who must be our guide and leader, not only in ceremonies, but in substances.

It is not unknowen unto me how unwillingly the people under this government parted withe my late predecessor, I think as unwillingly as Jacob parted Benjamin, and they had reason, bothe in respect of thear owne good affections toward him, for I may say of him as was sayd of Germanicus, he was *deliciæ populi*,* as also in respect of his good offices toward them, concerning whiche I may say, as is in the prophet Isayah,† "He was as a hiding-place from the winde, as a refuge from the tempest, as rivers of water in drye places, and as the shadow of a great rock in a desert land," whiche worthe of his turnes to my disadvantage, for how can it be well pleasing to change from a knowen and certeyn good to that whiche restethe upon future hopes and events, especially in matters of the common wealthe, the change wherof is ever accoumpted hazardable.

I will repair this withe that whiche I know will content everye man, that is, to follow his steps that did so well, for my better performance whearof I have two good encoragements from your lordship, the on from your wisdom, knoledge, and experience of the government of this place, confirmed by the practise of many yeares, so I shall be put to no more then to execute withe

* Note by the writer,—Tacitus, *Deliciæ humani generis.*

† Cap. 32, v. 2.

diligence what your lordship shall prudently direct. The other from your good affection toward me, whiche I doubt not will as well shew itself in making a favorable construction of my labors, as it did in desiring my presence heer.

For my particuler, I have made but this change, to have care whear before I had quiet, whiche is an ill change to me, that am of the opinion of Ecclesiastes, —*Melior est pugillus cum requie, quam plena utraque manus cum labore et afflictione animi.** Yet I shall be verye well content withe it, if by doing of my dutye I shall content others, and nothing can be more helpfull to me in that, then that whiche I assure myself of, first, in my bretheren and collegues, that we shall all give our opinions *candide*, withe out any tenders of affection or private respects; secondly, in the counselors at the bar, that they will handle their cawses *lucide*, without calumnye and importunitye, and so all things will concur to the honor of the king and the ease of his people.

My allowance at the counsell is dyet for my self at the president's table, sitting in a chair over against him, and for my chaplain at the steward's table in the halle, and for eight men in the halle, whiche dyet I toke accordinglye.

I did heer and determin in the term, four weekes, and in four dayes after, 455 cawses, of whiche thear arrose 147 in the countyes of Gloucester, Wigorn, Salop, Hereford, and Monmouthe. Thear did arise 37 out of my owne circuit, the rest out of the 12 shires of Wales.

I came from Ludlow toward London, to settle all businesses thear, upon Munday the 11 December, and whearas justice Chamberleyne and justice Lewknor had agreed to take 40*l.* the year for thear riding charges, I refused, and according to the instructions toke them per diem; for the cleering of whiche poynt I examined the allowances to the cheef justices for riding charges for 60 yeares, and found that sir John Throkmorton had allowance per diem for fourteen horses and twelve servants, the other sithence for nine servants and twelve horses, that is, ten for him and his servants, one for his sumpter, and a spare horse, and so had sir Richard Shuttleworthe and sir Richard Lewknor, and wear allowed for them and them-

* Note by the writer.—Ecclesiastes, ca. 4, [verse 6].

selves 40*s.* per diem, and until sir Richard Lewknor provided him a dwelling within lesse then a dayes journey he had so, but after toke 40*l.* per annum by composition, for it was cleerly gotten by him. Now, being thoughte reasonable to allow 40*s.* per diem for nine servants and twelve horses 30 yeares past, it was thoughte now 50*s.* per diem was but proportionable, and so I had allowed for five dayes between Ludlow and London 12*l.* 10*s.*

In September, 1620, I receaved from my brother Richard Whitelocke, resident at Elbing, James his sun, whome he toke from Leopolis,* whear he was taughte grammer by the Jesuits, and sent him to me to bring up heer and to provide for him, and according to his request, I sent him to Oxon., to Magdalen halle, under the government of dr. Wilkinson, principall thear, and under the tutoradge of mr. Ramsden; he was born in Elbing in February, 1601.

The term began at Ludlow, 19 January, 1620, in whiche thear wear herd 209 cawses; three weekes two dayes.

The term began at Ludlow, 2 March, 1620, in whiche wear herd 228 cawses; three weekes, two dayes.

My circuit began 9 April, 1621, at Chester. I lay on the way, on Fryday nighte, at sir Fraunces Newport's at Eton. Upon Saturday I was met by many gentlemen of Shropshire and Cheshire, in the way toward Whitchurche, at whiche towne I had a Latin oration made me, in the market place, and lodged that nighte, and al Sunday, at the house of sir Thomas Brereton near Whitchurche, and went on Monday to Chester, and was met on the way by a great number of gentlemen of worthe. The highe shirif, mr. Marburye, lay verye sick, and his sun and heir attended the judges all the week.

Our expences at Chester came to double the king's allowance, but our presents in Flint and Denbighe, whear we dieted ourselves, wear so large as that we defraed the whole charge of the circuit, and saved the king's allowance. The shirif of Mountgomerye enterteyned us at

* Near Civita Vecchia.

his owne charge. At our retorn from the Pole * we lay at mr. Wayties neer Ludlow. We wear enterteyned at Denbighe withe a Latin oration in the market place, and a refreshing of wyne and cakes. When we went from Denbighe toward the Pole, we wear enterteyned at Ruthin withe the waites of the towne, and a banquet, a Latin oration, and an enterlude. At the end of the circuit I went up and sat in Parliament, and as I went stayd only on day at the apparance at Beaudlieu.

Sir Frauncis Eure,† sun to the lord Eure, on of the counsell attendant and cheef justice of Northe Wales, dyed about Ester, and Edward Littleton of the Inner Temple succeeded him in bothe places.

Trinity term, 1621, began Lunæ, 18 Junij, to whiche day it was adjourned from Wednesday, 13 Junij, continued four weekes, and in it wear herd 274 cawses. At Beaudlieu.

At May apparance at Beaudlieu, held 5 Maij, 1621, I stayd but untill Tuesday, and sir Henry Townesend kept out the rest of the apparance.

Autumn apparance began Jovis, 23 August, 1621, by mr. Edward Littleton.‡ I came thether the Sunday after, and stayd untill Saturday, and then went onward to my circuit to Chester, whiche began Lunæ, 3 September, and so to Flint, Wrexham, and the Pole, from whiche I went home to my owne house, and kept the quarter sessions at Oxon on my way.

In September, 1621, thear came to my house at Falley,§ and lodged thear, JOHN WILLIAMS, dr. in divinity, dean of Westminster, and bishop elect of Lincoln, lord keeper of the great seal of England. I went withe him the next day, being Bartholomew day, to Woodstock, whear the king was; we alone rode togeather in his coatche, all the way, and in the way visited the ruins of the churche

* Pool, or Welchpool, in Montgomeryshire.

† Son of William second lord Eure, who died 1593, by Margaret, daughter of Sir Edward Dymoke.

‡ Note by writer.—28 cawses herd then.

§ Fawley, co. Bucks.

of Dorchester, whiche was the ancient sea of his bishoprik. Thear attended him, withe me, sir Richard Lovelesse, sir William Borlase, sir Anthonye Barker, sir Richard Leydall, mr. Elmes, and mr. Cope Doylye. I held myself mutche beholding to this honorable gentleman, for that the same day the seal was delivered unto him he sent for my old servant RICHARD OAKLYE, and made him his secreatarye. He came to me in Trinity term 1609, by giving me a Latin epistle, being at that time a postmaister of Merton colledge in Oxon. and a good scholler; during his service withe me he was diligent, faythfull, and loving to me, and spent his idle times in studye of the law, being admitted of the Middle Temple, whear having done all his exercises he was called to [the] bar in Michaelmas term 1621, having bean secreatarye to the lord keeper from the 10 Julij before. He was born neer Bishop's Castle in Shropshire, upon an ancient demean of his name called Oakly; his father is Rowland Oakly, now living thear. John Oaklye, yonger brother of Richard, was preferred unto me by his brother Richard at Whitsuntide 16—.

In the vacation 1621 after Trinity term, Mr. Nicolas Overburye and mr. Edward Littleton, two of the counsell attendant, wear knighted at Warwick, by the means of the lord president. In that vacation, SIR LYONELL CRANFIELD was made lord Cranfeild and lord thesaurer, in the rome of the lord Magnavill,* who slid out of the place no man knowethe how.

SIR WALTER PYE, now attorney of the court of Wardes, this Hillary term 1621, was my collegue in St. John's colledge in Oxon, and came to the Middle Temple a little before me, whear he and I have ever sithence continued in good terms of frendship. My ancient frend and collegue DR. WILLIAM LAUD was consecrated bishop of St. David's, Michaelmas term 1621, being then president of St. John's colledge in Oxon.

In December 1621, SIR HENRY TOWNESHEND, on of the counsell attendant, dyed at his house in Shropshire, about five days after he went from the term at Ludlow. He had been of the counsell

* Mandeville, afterwards earl of Manchester.

sithence 16 Elizabeth, and was the first associate to the justice of Chester after the statute 18 Elizabeth; he reconed himself 84 yeares of age.

At Beaudlieu in the beginning of Trinity term 1621, the lord Compton being thear, challenged to have place of me, and all the reason he gave was, bycaus my predecessor gave it him. But, bycaus I wold have the question cleared, I cawsed a report to be made by twelve of the most credible men at the counsell, sum being of the counsell attendant, others counselors at the bar, and officers of the house, and of the signet, and of the clerk of the counsell, that for 58 yeares, and so at all times sithence, the cheef justice of Chester allwayes had place and precedence at the counsell in the marches, as well out of the court as in court, next to the lord president, and above sutche bishops and noblemen of the counsell as resorted thether for his majesties service.

The lord president, at his cumming to Beaudlieu, did acknowledge, at the table, that it was my due, and did place me before the bishops of Hereford and Worcester, that wear thear at the term. The instructions do lift the cheef justice of Chester before the judges, next to the chancelor of the eschequer, being a privie counselor, yet withe a saving in the end of his place heertofore used.

I was informed that the erl of Pembroke, being president, and in ill termes withe sir Richard Shuttleworthe, cheef justice, wold have given way for the lord Chandos to have had place of the justice, but openly, in going to the churche, the cheef justice claymed it, and had it.

The lord Zouche being president, and verye ill affected against sir Richard Lewknor, cheef justice, wold have done so by him, but being informed by the counsell, and by all the ancients at the bar and in the king's house, that the cheef justice had allwayes had it, did forbear to interrupt in it, but gave it to him of the bishops and noblemen that resorted to the counsell. I have cawsed that report to be entered into the register at the counsell, bearing date 15 Sep-

tember 1586, that posteritye may have evidence to settle the question, if it sholde ever be stirred againe.

My wife and I and our familye came to Ludlow the 25 of October, 1621, whear we lay that winter in the house of sir Edward Fox, on of the counsell, who lent us the house, withe hangings, bedding, lumber, and sutche utensils belounging to it, and gave me ten ton of pit coal toward my winter provision of fewell. The lord president and his ladye, and the lord Compton and his ladye, kept Christmas at Ludlow this winter, 1621.

Michaelmas term began at Ludlow, 26 October, 1621, and was for five weekes. Thear were herd in it 328 cawses.

Hillary term began at Ludlow, 14 January, 1621, for fower weekes. Thear wear herd in it 251 cawses.

Lent term began at Ludlow, *die Veneris*, 8° Martij, for fower weekes. Causes herd 331.

Presents this winter.

Provender, fourteen quarter and a half, bushells	116
Hay, lodes	16
Coles, tuns	10
Wood, lodes	13
Sugar loves	25
Samons	4
Cokkes	40
Snipes	23
Rabbets	25
Chikkens	23
Sheep	3
Calves	3¼
Lams	2
Kids	1¼
Capons	30
Partriches	43
Plovers	23
Geese	7
Dukkes	5

Foul	55
Stints*	24
Pheasants	10
Turkeys	11
Blackbirds	12
Growse and heathecocks	8
Hares	5
Red deer	2
Fallow deer	2½
Boares	2
Cheeses	15
Beef, oxen (1 qr. of a sturt† and a chine besides)	1
Pullets	5
Hens	7
Wardens‡	300
Hern§	1
Fishe, 24 carpes, 6 trouts, 2 eeles	32
Pigeons	19
Wheat, 2 strike	2
Lemons	15
Straw, lode	1

Besides grocerye wares, sweet waters, cates, martchepanes. My presents ar well and easilye valued to 50*l.*

The fees of knighthood when I was knighted, 29 October, 1620.

	£	s.	d.
Gentlemen ushers, dayly wayters	5	0	0
Harolds	5	0	0
Gentlemen ushers, quarter wayters	2	0	0
Sewers of the chamber	2	0	0
Yeomen, ushers, groomes, and pages	2	0	0
Trumpeters	2	0	0
Footmen	2	0	0
Porters	1	0	0
Drum major	0	13	4
Gentlemen ushers, privie chamber	5	0	0
Servients at armes	5	0	0
Yeomen of the mouthe	2	0	0

* Sandpipers.[?] † Sturk.[?] ‡ Pears. § Herons.

	£	s.	d.
Pages of the bedchamber . . .	3	6	8
Knighte harbinger	3	6	8
Robes, for keeping the sword . .	2	0	0
Surveyor of the wayes . . .	0	10	0
Servient trumpeter	1	0	0
Coatcheman	0	10	0
Arche the fool*	0	11	0
	£44	17	8

Subscribed as due by sir Richard Calveley, usher of the chamber.

The summer last, 1622, I boughte out the lives in Josephe Tayler's copiehold, whiche cost me 210*l.* In December 1622, I bought of sir William Alford the moitye of the lands of Fillel's Court, for whiche I payd 1,000*l.* in hand, and am to pay 200*l.* more in May next; so I have now layd out in the lands thear 10,410*l.*; see supra, p. 53.

In May 1623, after my circuit ended at Flint, I went to Mostin, whear SIR ROGER MOSTIN and I concluded a mariage, between Thomas his sun and heir and Elizabethe my eldest daughter. My agrement by endenture was to pay him 2,500*l.*; but when I gave securitye he remitted 200*l.*, of which he told me he wold forgive me on 100*l.*, and I shold bestow the other on the yong couple in utensils of house. I was also to apparell her, and to give them and theares a yeares enterteynment. He assured upon their issue male all his lands in the countyes of Carnarvon, Flint, Denbigh, Chester, and the countye of the citye of Chester, worthe per annum by survey 3000*l.*, withe his cole mynes. He was offered a baronye for the mariage of his sun, and refused it.

I came from Mostin to Ludlow, and on the 24. of May, I and my wife wear present at thear mariage, withe other frendes, in the parishe churche of Staunton Lacye, neer Ludlow.

On Fryday the 8. of August 1623, I was enterteyned by the dean and canons of Windsor in the deanes lodgings, and my horses also.

* Archie Armstrong.

Thear I stayed al nighte, and was verye wellcum. The next day I went to Falley Court. This was in my passage from London, and at thear request, to treat withe me concerning the state of thear house.

I was chosen recorder in fower severall places, after my being cheef justice of Chester; in Beaudlieu, withe 20*s.* fee, and my horse-meat when the counsell lye thear; in Ludlow, withe 40*s.* fee, and three lode of hay yearly; in Bishop's Castle, withe 40*s.* fee; in Pole, withe 40*s.* fee.

A motion was made to the king, by the duke of Buckingham, to remove me into the King's Benche, in the place of justice Haughton, who dyed Hillary 1623; but I was unwilling, so the matter cooled. I went up about it 7° April 1623, and retorned 14 April.

The erl of Northampton, lord president of the counsell in the marches of Wales, was verye desirous to be quit of me at the counsell; his reason was, I did not give way unto him and his servants, nether in the court nor in the king's house, in bothe whiche I conceaved things to be caryed contrarye to the king's instructions and myne othe. Therfore he made meanes, by the duke of Bukingham, of whome he had deserved well, to remove me into the King's Benche, and to have sir Thomas Chamberleyne back againe to the counsell. His reasons for that wear two: 1. sir Thomas Chamberleyne had caryed himself in the place withe good opinion of the countrye for his uprightnesse, and was shuffled out of his place against his will, by the lord president's meanes, being wearye also of him, thoughe he denyed not those things unto him whiche I did, and he thought it wolde be the better taken that after me he sholde bring in on that was well liked, then a meer stranger; for I was accoumpted as well of in my place, for my integritye, as any man ever was. 2. The other reason was, sir Thomas Chamberleyne was verye weake, not likely to live, and the erl meant to have him but as a stale to supply the place at the first, to satisfy the gaze and to provide on for his profit agenst he dyed, whiche he made accompt wold be verye shortlye. The duke made his means by the lord

keeper, who he knew could do mutche withe me, as my private frend, for the king being moved answered them, if I did consent to it he wold do it, but, unles they could alledge sum falte in me, he could not remove me against my will. The duke, being asked by the lord keeper whether any exception coulde be taken against me in my place, answered, No; ther was no sutche intention, nor any other course thoughte on to do it, but *more honorario,* bycaus the lord president and I could not agree better. Herupon I was moved to remove in Ester term 1624, for justice Houghton dyed Hillary term 1623; but I absolutely refused, bycaus my two circuits wear to cum. I passed on withe them, and came home to my house at the end of my second circuit, whear I arrived 13 October 1624, and found these letters sent thether from my lord keeper, written withe his owne hand, inside and outside.

To my assured loving frend sir James Whitlock, cheef justice of Chester, and of his majesties counsell in the marches of Wales.

Mr. justice, after my verye hartye commendations, upon sum new complaints made unto my noble lord and youres of unkindenesses between your cheif and yow, I have presumed so mutche upon my power withe yow, and that desire I have of your neernesse unto me, as to assure my lord duke, that to give his grace contentment, and to prevent all future jealousies, yow wolde leave your place to your predecessor and serve his majestye as on of the justices of his Benche. And heerupon the king (in whose highe favour and good opinion yow do remayne) hathe called yow by a writ for this service, for the whiche I do desire yow to prepare yourself withe your best conveniencye, desiring, withe all my hart, this remove may prove as mutche to youres as it dothe extreamlye to my contentment, and assuring yow that if ever it shall lye in my power to ad to your place or fortunes yow shall ever really finde me

Your most loving and assured true frend,

Jo: Lincoln, C.S.

Westminster college, this 3d of
October, 1624.

Upon receipt of this letter, I went up to London the Fryday following, whiche was 15° October, and spake withe my lord keeper that nighte, and, being myself verye wearye of the life I led at the

counsell, assented to the remove, and, bycaus I was to receave no allowance from the king untill I had my patent, I moved my lord that it mighte be dispatched so sone as he would, whiche was pursued accordinglye, for I was sworn on Monday following, being 18. October, st. Luke's day. Sir Thomas Chamberleyne had his discharge the same morning. My lord keeper sate in the middle of the court, the lord cheif justice* on his righte hand, and justice Dodridge † on the righte hand of the cheif justice, for in the places of Houghton and Chamberleyne, being on the left hand of the lord keeper, no man sate.

First, SIR WILLIAM JONES, who was cheif justice of Ireland and removed from thence into the Common Pleas, Michaelmas, 1621, in the place of Sir Peter Warbarton, and upon the same occations as I was removed, was broughte from the Common Pleas in his robes of skarlet, withe his mantell, as he sate in court, for he was taken from his place sitting in court, and he was broughte to the court of King's Benche, and placed before the table at whiche the clerks sit, and thear, he standing on his feet, the lord keeper made a speeche unto him, signifying the king's pleasure he shold serve in that court; he answered him breefly, then kneeled downe, and toke his othe, and was placed on the left hand of the lord keeper. Then I, standing at the bar, in the purple habit of a sergeant, withe the sergeants on ether side of me in their purple habits, it being a holliday, my lord spake breefly unto me, giving me good commendations for my service in the place whence I came, and among other his words of commendation, he sayd, I had done excellent good service thear, shewed reasons whye the king did desire to supplye the higher courts heer withe judges out of his provinces, bycaus he found them readyer, and better instructed for the government of his kingdom, then those that he toke practisers from the bar. When he had ended, I shortlye used this speeche unto him.

It may please your lordship, I finde the life of a judge consists of two parts; the active part and the passive part. The active part, whiche is his services,

* Sir James Ley.

† Sir John Doderidge, justice of the King's Bench 1612-1628. Foss's Judges, vi. 306.

actions, and imployments, I finde to be *quædam militia*, the passive part, whiche is his sufferings and wrongs, I finde to be *martyrium quoddam. Mittitur in provinciam, revocatur in urbem; labores, vigiliæ, nusquam quies, nusquam otium;* the difference is, *in bello casus valet, hic nihil; ibi viribus contenditur, hic ratione; ibi Fortuna judice, hic viro prudente.* Hence is the distinction of *militia cœlestis, militia armata, et militia togata.* The sufferings of a judge may well be called a martyrdom, for he sufferethe for well doing: he for whome judgement is given thinkethe it no merit to have but his righte, he against whome it is given thinkethe he hathe wrong. No man is contented withe justice unles it be afforded him by his owne measure; he must exercise two propertyes of a martyr, he must *ferre contumelias et odientem diligere*, whiche, as on* saythe, is *martyrium in occulta cogitatione*, as *mori a persequente* is *martyrium in aperto opere*, but a judge hathe no more reason to be offended withe sutche men then a physician with a froward patient.

Seneca, in his tract *In sapientem non cadere injuriam*,† saythe that, against those that ar in publique places, *latissime patet injuriarum materia illis per quos iis periculum quæsitum est, ut ab accusatore submisso, aut criminatione falsa, aut irritatis in eos potentiorum motibus*, and other particulers by him recited, whiche he callethe *quædam inter togatos latrocinia.* Heerupon was grownded that caution mutche about those times,‡ that to do well was not alwayes safe, to do ill did most times escape blame, but to do little was least dangerous, bycaus it was lest subject to accoumpt. I have served his majestye these fower yeares *in provincia*, it is his pleasure I shold now serve him *in urbe.* My service hathe been in my circuit, and at the counsell in the marches. In my circuit, in the meer practise at the common law, *cum imperio et jurisdictione*, the two armes of justice; for that notable statute of 34 Henry VIII. cap. [26]§ dothe erect in those circuits perfect and compleat courts of King's Benche and Common Pleas, the on *in potestate gladii*, in pleas of the crowne, the other *cum potestate jurisdicendi*, in civill pleas. At the counsell, the object of the justice is the cognisance of starchamber and chancerye causes, and of civil pleas of 50*l.* and under, by later instructions.

For this place, to which it hathe pleased his majestye to calle me, I holde myself far unable and unworthye of it. It makethe me within the observation of Christe in St. Matthew ‖ "To him that hathe it shall be given." I was not willing to put a hazard upon myself in leaving knowen pathes to runn into unknowen, whiche I speake in respect of that place whear the reverend judges

* Gregor. in Homil. [lib. ii. no. xxxvi. vol. i. p. 1616. ed. 1705.]

† Cap. 9. [vol. I. p. 396. ed. Ruhkopf, Lips. 1797.] ‡ Tacitus.

§ "An act for certain Ordinances in the King's Dominion and Principality of Wales."

‖ Matthew, ch. xxv, ver. 29.

sit, for in this whear I now stand, I am no stranger; I attended in it, as a practiser, most commonly for the space of twenty-three years and above.

Your lordship hathe most gravely and religiouslye instructed me *quomodo agendum;* I will lern of these reverend judges, whose assessor I am to be, *quid agendum.* If I observe your lordshipp's godly advise, the hart, whiche is the fountayne, will be pure and clensed from those four steynes whiche pervert justice—*odium, amor, timor, cupiditas.* If I harken to the comments of these reverend judges, whiche I will verye intentively do, I shall know what to dispense and measure out to the subject that callethe for righte and justice. The product of bothe whiche will be, that true dutye of a judge, *juste persequi quod justum est,** whiche dutye, by God's grace, I will ever endeavour to observe.

This being sayd, I [was] led up into the court, and, kneeling before the table thear, toke the othes. I was then caryed up into the court, and sat upon the left side of sir William Jones. From thence the lord keeper went to the Common Pleas, and thear swore sergeant Frauncis Harvye justice in the Common Please, in the roome of sir William Jones; so I had a puisne judge the first day.

I was called in Michaelmas term to the Starchamber once, to the Chancerye often, to sit withe the lord keeper, and I was put into the commission in Chancerye. I was barred from the profits of the office for the vacation before Michaelmas term, bycaus sir Thomas Chamberleyne was then justice, but was admitted those that did accrue from the first day of Michaelmas term, and these wear:—

	£	s.	d.
A privie verdict	0	6	8
Cognisance of deeds	0	10	0
Divident of common bailes	19	0	0
Bills of Middlesex, Michaelmas term	8	2	0
Divident [upon writs] of *Dedimus potestatem*	13	10	0
Divident of box	5	2	5
Profits in chamber	8	6	0
Of Mr. Broom	62	17	0
	117	14	1

* Deuteronomy, ch. xvi. ver. 20.

Bracton, lib. iii. c. 10. fo. 108, saythe of the justices of the King's Benche that they ar *collaterales et a latere Regis residentes, qui omnium aliorum corrigere tenentur injurias et errores.*

Fees of the Justices to be payd at Michaelmas and Annuntiation.*

	£	s.	d.
To the cheife justice	258	6	5
To the cheif justice of the Common Pleas .	194	19	9
To the cheif baron and justices of ether benche	188	6	8
To the barons of the eschequer . . .	113	6	8

Memorandum, that the robes of the judges ar furred upon Simon and Jude,† and so continue until Ascention,‡ and then they be faced withe silk.

Thear wear in commons at Sergeants' In, Fleet Street, this Michaelmas term, 1624, judges six, sergeants fourteen.

Judges on the benche this term of St. Michael, 1624.

James Ley, chivaler, Lincoln's In, de pais de Wiltshire (natus ibidem) . . . . . B. R.
Henrye Hobart, baronet, Lin. In, de pais de Norfolk (natus ibidem) . . . . . B. C.
Lawrence Tanfeild, chivaler, In. Temp., de Oxfordshire (natus in com. Huntington) . . . . . Scac.
Edward Bromley, chivaler, In. Temp., Salop (natus ibidem) . . Scac.
Johannes Dodridge, chivaler, Mid. Temp., Surrey (natus in co. Devon) . . . . . B. R.
Humfred' Winche, chivaler, Linc. In, Bedford (natus ibidem) . B. C.
Johan' Denham, chivaler, Linc. In, Surrey (natus Londini) . . Scac.
Ricard' Hutton, chivaler, Gr. In, Eborum (natus ibidem) . . B. C.
Williel' Jones, chivaler, Linc. In, Anglesey, moratur in London, et in com. Buck. et Oxon. (natus in Anglesey) . . . . . B. R.
Jacobus Whitelocke, chivaler, Mid. Temp., Buckingham (natus Londini) . . . . . B. R.
Franciscus Harvey, Mid. Temp., Northampton (natus ibidem) . B. C.

* 25 March. † 28 October.
‡ Holy Thursday, Thursday in the fifth week after Easter week.

Servientes Domini Regis, attornatus et sollicitator.

Ranulphus Crue, chivaler, Linc. In, natus in com. Cestriæ, commorans in Westmr.

Johannes Davys, chivaler, Mid. Temp., natus in com. Wilts, habitans in com. Barks.

Robertus Hitcham, chivaler, Gr. In, de com. . . . .

Henricus Finch, chivaler, Gr. In, de co. Cantiæ.

Georgius Croke, chivaler, Inner Temp., natus in com. Buck. habitans in com. Oxon.

Tho. Coventre, chivaler, In. Temp., natus in com. Wigorn, morans Londini, attornat. general.

Robertus Heathe, chivaler, In. Temp., natus in com. Sur., morans Londini, sollicitator generalis.

Copia litterarum patentium irrot. Mich. 22 Jac. rot. 201.

JACOBUS, Dei gratiâ Angl. Scot. Fran. et Hiber. Rex, fidei defens. &c. OMNIBUS ad quos presentes litteræ pervenerint salutem. SCIATIS quod constituimus dilectum et fidelem nostrum Jacobum Whitelocke, militem, servientem ad legem, unum Justitiariorum nostrorum ad placita coram nobis tenend. assignat. HABENDUM quandiu nobis placuerit, cum vadiis et feodis ab antiquo debitis et consuetis. IN CUJUS REI testimonium has litteras nostras fieri fecimus patentes. TESTE meipso apud Westmonasterium, 18 die Octobris anno regni nostri Angliæ, Franciæ, &c. 22° et Scotiæ 58°.

At this time thear wear two places voyd in the King's Benche; the on of justice Houghton, who dyed in Hillary term last, and the other of justice Chamberleyne, who was discharged of his place in the King's Benche by writ, this 18. of October, being St. Luke's day; on whiche day sir William Jones, knighte, and I wear bothe sworn; *ut supra*, p. 97.

Term Hillar. 1624.

The vacation before this term SIR JAMES LEY, cheif justice of the King's Benche, was created lord Ley, and made thesaurer of England, and continued notwithstanding in the place of cheif justice untill the second day of this term, for the first day the writts went withe his *teste*.

the forenon, and the bishop of Salisburye * in the after noon; the bishop of Bristoll † red prayers; the bishops of Bangor ‡ and st. David's § red the letanye; the bishops of Llandaff ‖ and Gloucester ¶ red the latter service.

The king sate in the highe pue on the left hand of the pulpit; the bishops sate against him in a low pue in the quier before. The prebendaryes, the erles and viscounts sate in the pues under the pulpit, and the judges sate on formes before them. The barons sate over against the erls, on the left hand as yow cum up to the chancell, and the king's sergeants, counsell at law, and masters of the chancery sate on formes before them.

The commons did celebrate this fast in st. Margaret's Churche, and had three sermons that day, and the next day, being Sunday, did all of them receave the blessed sacrament.

Concerning the passages in term and parliament see my booke of reports.

Memorandum, that a justice of ether benche hathe, per diem, 8*s.* 5¾*d.*, whiche in the whole yeer amountethe to 154*l.* 19*s.* 8*d.*, and he hathe wages for circuits per annum 23*l.* 6*s.* 8*d.* payable at Annuntiation and Michaelmas, by equal portions; so his half yeares wages is half-yeerly 94*l.* 3*s.* 2*d.*, whiche is payed unto him the day after Ester term and the day after Michaelmas term, and his quotidian he hathe but from the day his patent bears date exclusive, whiche was the cawse I was abated; for my quotidian began 19 October, and I was sworn 18 October.

The circuit money is ever payd the day after Hillary term, and the day after Trinity term.

Thear is due to everye puisne judge impost for two tonnes of wyne, whiche is worthe 4*l.*, but it is encroached on for new fees of officers.

Sir Thomas Chamberleyne, knighte, justice of Chester, dyed 27 September 1625.

* John Davenant, 1621-1641.
‡ Lewis Bayley, 1616-1631.
‖ Theophilus Field, 1619-1627.
† Robert Wright, 1623-1632.
§ William Laud, 1621-1626.
¶ Godfrey Goodman, 1624-1640.

Upon Thursday 6 October, whiche was *primus dies* of the Utas * of st. Michaell, I kept essoines in Westminster halle, and adjourned Michaelmas term, essoines and all, untill *mense Michaelis*, to the same place, according to the king's proclamation dated at Tichfeild, 4. September, 1625. I came that morning from Horton by Colebroke in my coatche, and at the park-corner turned in, and thear dyned in my coatche withe colde meat I caryed withe me thether; and left al my hakneys thear, and toke only two men withe me in my coatche, and the same day retorned back to Horton againe.†

SIR HENRY HOBERT, knight and baronet, cheif justice of the Common Pleas, dyed at his house in Norfolk, upon st. Thomas of Canterburyes day, 1625, which is the morow after Innocents day.‡

Term Hill. 1625, SIR JOHN BRIDGEMAN, knighte, sergeant-at-law, was made justice of Chester, in the place of sir Thomas Chamberleyne that was ded.

SIR JOHN DAVIS, knighte, on of the king's sergeants-at-law, dyed sodeynly in the nighte after Michaelmas term, 1626. He was well when he went to bed, and was found ded in his bed in the morning, but what time in the nighte he dyed was not knowen, nor herd of. He was in communication to have been made cheif justice of the King's Benche, in the place of sir Randle Crew. But God prevented so inconvenient an intention to the common wealthe.

In January, 1626, I boughte of John Est his 6 acres of wood in Falley, called Downes. I payed him ready money 90*l.*

Nota, est record in mon Court booke, quod NICOLAS HYDE fuit fait cheif justice de B. R., term Hillarij, 1626, 2° Car.

Memorandum, that all my ancients refused to go Norfolk circuit, and then it falling to my torn, I could not, bycaus I dwelled in Buckinghamshire; so of the two left I chose the Northe.

* Octaves of, or eight days after, Michaelmas.

† This was of course on account of the plague. Bulstrode Whitelocke mentions this circumstance in his Memorials (p. 2), with one or two additional particulars. He says that sir James "drove fast through the streets, which were empty of people and overgrown with grass, to Westminster Hall, where the officers were ready, and the judge and his company went straight to the King's Bench, adjourned the court, returned to his coach, and drove away presently out of town."

‡ Dec. 29.

Memorandum, that our wages, whiche for the memorye of man had been alwayes payd the last day of Ester term and Michaelmas term, or the day after at the farthest, was unpayd the end of this Michaelmas term, 1627, wherupon four of the judges wear sent from all the rest to the lord thesaurer,* to desire his care of it—Jones, Whitlocke, Harvye, Croke. To whome THE ERL OF MARBOROW, thesaurer, gave sleevlesse and cumming answeares, but craftely and deceiptfully, underhand, did abuse the judges withe delayes, for he promised he wold take present order withe sir Robert Pye, clerk of the warrants, that they shold be first payd, whiche he did by word of mouthe, but by his writing gave order for others. He was put in minde of the act of 18 Henry VI.† by whiche we wear assigned to be payd out of the hamper, and if in that ther wear no money, then out of the customs of London, Bristow, and Kingestown-upon-Hull, and that in the time of civill war we wear payd, and that so mutche was ever set apart for the judges, what want soever ther was otherwise; and see the booke case 1 H. 7, fo. 4b. But this old dissembler, that had been on of our owne companye, used us worse then any man byfore him. He was wont to be called "Vulpone," and I think he as well deservethe it now as ever. Being himself indebted to sum of the judges, for moneys he had borowed of them when he was cheif justice of the King's Benche, he gave a private warrant for the payment of them underhand, but sir Robert Pye verye honestly refused to execute it, and retorned answear, that it was a generall dutye for the whole order, and that it shold be done for all at once, and that none ought to be preferred or singled from ther fellowes.

This Michaelmas term, GEORGE VERNON, of Cheshire, a reader of the Inner Temple, was, for money, made serjeant and baron of the Eschequer; dedit aurum. His poesye was *Rex legis regnique patronus.*

Memorandum, that the thesaurer dallyed out all the vacation, and all Hillary term, without payment of our wages, wherupon myself and Dodridge and Jones caused writts of *liberate* upon the statute of

* James Ley, earl of Marlborough. † Vide stat. inter archiva mea.

18 Hen. VI. to be drawn, therby to charge the clerk of the petit bag, but the lord keeper called us to stay, and he wold interpose.

Circuits held as the last summer, but the ancient in everye circuit stayed at home to attend the parliament, whiche was to begin 17 Martij, 1627.

An other wonder fell out this term, for whearas the judges, ever sithence their compounding for the charge of the circuit, wear payd their circuit money the last day of the term preceding the circuit, now at this time on penye was not payd, so they wear put to this straighte, ether to deceave the whole kingdom, whome by their summons they had called togeather, or spend their owne money in the king's service. These monstrous enormityes in the state happened by the crooked dealing of the thesaurer.

JOHANNES DODRIDGE, miles, unus justitiariorum ad placita coram &c., obiit in ædibus suis apud Egham, mense Septemb. ultimo, annos natus circa 72; et in locum ejus assumptus est GEORGIUS CROKE, miles, unus justitiariorum de Banco. D[odridge] fuit de medio templo, Croke de interiore.

Note, when he toke his othe, and when he was spoken to by the lord keeper, and when he answered his speeche, he kept his place in the court, before the place whear the clerk and prenotaries sit, but, if he had been a serjeant, he shold have stood at the bar untill he had cum up to that place to swear. But, in ether case, the othe is taken kneeling. Note, also, by opinion of all the judges he is to keep his olde place, bycaus it is but as a translation of a bishop.

The allowance of Justices of Assise in thear circuits, as it was proportioned at the first making thearof.

		£	s.	d.
A puisne judge for his	dyet per diem	0	18	4
	men, ten, allowed eatche 16d . . .	0	13	4
	horses, thirteen, eatche 16d . . .	0	17	4
		2	9	0
Ad for the second judge as mutche		2	9	0
		4	18	0

Oxon. Circuit.

For the clerk of assise, three men, eatche 16d. . .	0	4	0
For five horses for the clerk of assise, eatche 16d. . .	0	6	8
Thear is allowed to bothe judges for linnen and other necessaries	0	13	4
	1	4	0
This in all is for bothe judges per diem	6	2	0
This for Oxfordshire circuit for twenty-eight dayes, whiche was the olde allowance, came to	170	16	0
Out of this the clerk of assise had, for horsemeat for twenty-eight dayes	9	6	8
Of ether judge for every circuit, 4*l.* 13*s.* 4*d.*			
Thear is an addition of five dayes to this circuit . .	30	10	0
So the allowance is now	201	6	0
To ether judge	100	13	0
The clerk of assise hathe but his old allowance for horsemeat.			

Memorandum, quod 28 die Maij, 1631, in Vigiliâ Pentecostes, inter horas 11 et 12 post meridiem, obiit UXOR MEA charissima ELIZABETHA, apud Falley Court in com. Buck., annos nata 55 in festo divi Jacobi* ultimo præterito; fœmina marito suo amantissima, fidelissima, in re familiari sua prudentissima; in adversis patientissima, et supra omnes quas novi pia, religiosa, in Deum devota, in pauperes benefica. Sepulta est in ecclesia de Falley, ubi expecto locum a latere ejus.

My grand-childe JAMES WHITELOCKE was born in Cheapside, London, in the parish of St. Pancrace in Soper Lane, 13 Julii, 1631. Baptizat. ibi 28 Julii post. I was godfather, by Humfrey Bennet, my daughter in lawes brother, Richard Bennet, the eldest brother, the other, and my sister Bennet godmother. *Deus sit benignus puero.*

Upon the feast day of st. John the Evangelist, 27 December, 1631, the chappell in my house in Falley Court, in the countye of Bucks. and dioces of Lincoln, was, in a most reverend manner, consecrated by the lord bishop of Lincoln, John Williams, who would

* 25th July ; see p. 15, where she is stated to have been born on the "last of July."

not ease himself by doing [it] by commission to a "[so] good a frend," as it pleased him to esteem me, but came from London on st. Steeven's day of purpose to do it. Thear wear present Robert Wrighte lord bishop of Bristoll, myself, Richard Harrison, John Borlace, Miles Hubberd, and Cope Doyly, knights, Francis Winnebanck, clerk of the siknet, Bulstrode Whitelocke, —— Borlace, Cope Doyly, suns and heirs to knightes; —— Symons of Pyrton, Richard Okely, Knightlye, Duffeild, esquiers; John King, —— Some, canons of Windsor and doctors in divinitye; James March [?], —— Web, doctors in divinity; [William] War, archdeacon of Lecester, the bishop of Lincoln's chaplein that preached; —— Banes, parson of Greyes; William Kitson, parson of Fawlye; White, vicar of Wargrave; Canon, vicar of Hurley; Dumbelow, parson of Hambleden; Barnard, vicar of Medmenham; withe divers others, clerks and laymen. The bishop did, in the chappell, collate to mr. War the prebend of Leaghton, in the churche of Lincoln, voyd by the deathe of dr. Theodore Price.

APPENDIX.

[Domestic Papers, State Paper Office, 1613, June 12.]

At WHITEHALL, in the QUEENES CHAMBER OF PRESENCE, on SATURDAY the 12th of June 1613.

THIS day sir Robert Mancell, knight, and James Whitlocke, esquier, councellor at lawe, formerlie committed for their contempts, were convented before the lords and others of his Majesty's privey councell, assisted with the Master of the Rolles, the Lorde Cheife Justice of the Common Pleas, and the Lord Cheife Baron of the Exchequer, at Whitehall, and there were by his Majesty's learned councell severallie charged. The substancs of which charge and the sentence and order thereupon gyven were as followeth:—

First, the said James Whitlocke was charged, that, whereas his Majestie beinge crediblie informed of divers great fraudes, deceipts, and other abuses, which had bene committed concerning the service of his Majestie's navye, thorough the negligence or corrupcone of inferiour officers and others imployed in that service, thought fitt in his princely wisedome and providence to grant, and accordinglie had granted forth, a commission under the greate seale of England, unto the Lord Chauncellor of England, the Lord Privie Seale, the Lord Admirall, the Lord Chamberlein, and divers other greate councellors and other persons of eminent quallitie, to enquire, examine, and finde out the same deceipts and abuses. And upon the discoverie of them as well to give order for the due punishmente of the offenders for the time paste as likewise to sett downe fitt ordinances and rules for the well governing and ordering the navye and all the incidents thereof for the tyme to come, which reasonablie may be inflicted upon the offenders, provided that all should be according to lawe; the said James Whitlocke, emboldened by that which ought reallie to have refrayned him

(which was his science and profession in the lawe), had committed severall great contempts concerninge the same comission. The one, that he had unjustlie traduced and slandered the said comission to bee of another nature then indeede it was; the other (which was yet greater) in that by occasion thereof hee presumed in a verie strange and unfitt manner to make an excursion into a general censure and defyninge of his Majesties power and prerogative.

Concerninge both which it was particularlie penned by his Majesties said councell, that sir Robert Mansell, treasurer of the navye, seeking to crosse the said comission, about the end of Hillary terme last past, repaired to the said Whitlocke, and earnestlie moved him in the name of the lord high admirall of England (as by the said Whitlocke was avouched) to sett down what exceptions he could possiblie devise, and as fullie as hee could, to the forme and substance of that comission; whereupon the said Whitlocke, with an extraordinarie haste and apprehension, sett downe in writing divers untrue and scandalous matters under the title of "Excepcones to the said Comission."

For first, in the said paper, hee tearmed the comission in very contemptuous manner "irregular," "without president," "strange," "of a new mould," and such as he hoped should never have place in this commonwealth, and tearmed alsoe the comissioners therein "inquisitors," to make it seeme the more odious, and in all the course of his writing never used soe much as a modest phrase of tendernes or loathnes to deale in soe highe a cause, or of referring or submittinge himself to better judgment, or of making the case difficult or doubtfull, but toke upon him to pronounce the comission to bee voyd and against lawe, and to give an absolute censure in derogatinge of it. Whereas it might have become him either to have declyned to deale in a cause of that greatnes, or at least to have handled it in reverend and respective manner, being an acte of state proceeding from his Majestie.

Secondlie, he did taxe the comission, that by the tenour thereof the punishment of offences was left to the discretion of the comissioners, which is but a calumniacone, for that it appears by the words of the said comission that the scope thereof was but *ad inquirendum*, and that the order to be given was to be intended of a direccone to referre the offences to

course of justice as appertainneth, and not to an ymediate and judiciall heering and determinacone of them.

Thirdlie, the said Whitlocke did devise, in scandall of the said comission, to compare and match it with the comission mencioned in the yeare bookes in the 42 yeare of kinge Edward the 3rd, and there by the court most justlie condemned, by which comission certaine persones were comaunded forthwith to arreast a subject's bodie and goods, and to cast him into Gloucester gaole, withoute sentence or judgment before gyven, or cause expressed, whereas the present comission was soe farre different in nature from that other, as it might in some sort be said to be contrarie, the one beinge to proceede to execucone and judgment precedent, and the other being but a preparation to a proceeding subsequent.

And, for the second contempt, it was shewn to his Majestie's said councell that the said Whitlocke had affirmed and mayntained in the said writing, that the kinge cannot, neither by comission nor in his owne person, medle with the bodyes, goods, or landes of his subjects, but onlie by indictment, arraignment, and tryall, or by legal proceedinge in his ordinarie courts of justice, laying for his grounde the statute of Magna Charta, "*Nullus liber homo capiatur, &c.*" which position, in that generall and indeffinite manner, was sett forth by his Majestie's said councell to be not onlie grossely erroneous, and contrarie to the rules of lawe, but daungerous, and tending to the dissolving of the govermente. First, for that *lex terræ*, mencioned in the said statute, is not to be understoode only of the proceedinges in the ordinarie courts of justice, but that his Majesties prerogative, and his absolute power, incident to his soveraignty, is also *lex terræ*, and is invested and exercised by the lawe of the lande, and is parte thereof. And it was thereupon observed and urged, that the opinion broached by the said Whitlocke did manifestlie (by consequence) overthrowe the king's martiall power, and the authoritie of the councell table, and the force of his Majestie's proclamacones, and other accones and direccones of state and pollicie, applied to the necessitie of tymes and occasiones, which fall not many tymes within the remedies of ordinarie justice, nor cannot be tyed to the formalities of a legall proceedinge, *propter tarda legum auxilia.* Neither could he the said Whitlocke be so blinde (except he would willfullie mistake) but that he must needes decerne that this present comission was mixed with matter of estate, and martiall defence, tending

to the conservacone of the navye, which is the walles of this island, and a principall portione of the suertie, quietnes, and renowne of kinge and kingedome, and therefore not like unto a comission of oyer and determiner or such other ordinary comissiones.

Secondlie, it was observed by his Majestie's councell, that in this case there was another point of difference, which was, that the shippes and vessells, with all their furniture and the materialls thereof, are the king's owne, and the persons whom the said comission did concerne are his officers and servants, or in his pay or wages, so that his Majestie, in this case, hath a power of examinacione and correctione, not onlie as a kinge, but as a master and owner.

Thirdlie, it was enforced by his Majestie's said councell, that if the statute of Magna Charta, in the point of *Nullus liber homo capiatur*, &c., should receave the construccon that the said Whitlocke giveth unto it, it doth manifestlie impeache all imprisonment, either for causes of state or common justice, before tryall, whereas the generall practise of the realme is and hath ever bene that, not onlie the councell of estate, but justices of assize and justices of peace doe committ offenders capitall upon pregnant presumptiones before either tryall or indictment; and common reason teacheth that if the persons of malefactors were not secured by safe custodie before indictment, there would be nothing but escapes and generall impunitie. And therefore that assertion of the said Whitlocke is everie way pernitious. Whereupon the Kinges said learned councell concluded upon both partes, that as well for the * * of his Majesties comission as for the clipping and impeaching of his Majestie's prerogative and power, the said Whitlocke's contempts were very great and deserve severe punishment, neither were anie waies to be defended by the * * * * councellor at lawe, which was not infinite, but to be conteyned within due limits, and was to be managed without presumption and with due respect to other powers. For which purpose his Majesties said learned councell produced divers presidents of severe proceedinges against lawyers for their contempt in giving craftie and turbulent councell and opynion to their clyents, which nevertheles they said were of an inferiour nature unto the present offence.

After the charge of the said Whitlocke, there followed the charge likewise of Sir Robert Mansell, which was to this effecte: That his faulte

was not anie thinge inferiour to the other, for that he had sought undutifullie to oppose him selfe against his Majestie's proceedings and to call his prerogative in question, which faulte was aggravated—First, in that Mr. Whitelocke had not undertaken this worke but at his importunity, and upon confidence of the countenance and assistance of the lord admirall, which hee pretended.

Secondlie, for that he was the meanes to divulge those daungerous positions tending so much to the diminution of his Majesties royal power.

And thirdlie, in that he being a principall officer of the navye (whose dutye did oblige him to advance the same by his best endeavoures) had nevertheles used meanes to hinder soe necessarie a service as was intended by the same comission.

Upon which severall charges the said Sir Robert Mansell and James Whitlocke, perceivinge the nature and weight of their offences, did in all humilitie acknowledge their errors, and, flying from his Majesties justice to his grace and clemencie, humblie begging their lordships to be intercessors to his Majestie on their behalfe, that his highnes would be gratiouslie pleased to accept of their submission and penetency, and to remitt anie further penaltie for the said offenses beyond the imprisonment they had already endured, and to restore them againe to his favor and gratious opinion, which they would endeavour to deserve by all possible service.

Upon all which matter and answeres fullie and deliberatlie heard and considered, their lordships, togeither with the judges their assistants, did severallie (begining with the highest) declare their judgements, howe much they did condemne the doeinges of the said Sir Robert Mancell and Mr. Whitlocke, and howe greivous and dangerous they conceaved their offences to bee, opening gravelie and effectuallie the quallitie of them, yet they nevertheles favorablie inclyned unto the sute of the said Sir Robert Mancell and Mr. Whitlocke, to comend their cause to his Majesties grace and clemency, and promised their best assistance and furtherance for the obteyning of the same, and in the meane tyme they required them to make severallie the like submissiones in writing, subscribed with their handes, as they had done by worde, and remaunded them unto their severall prisons untill his Majestie's pleasure were further knowne.

The next day, (beinge Sonday the 13th of this moneth,) the aforesaid

submissions being written and subscribed, as was enjoyned, and presented to his Majestie's handes on their behalfe, it pleased his Majestie, out of his singular clemency and goodnes, upon the report which had bene made by the[ir] lordships unto him of the former daies proceedinges, to accept of the acknowledgment of their faults and errors, and to receave them againe into his favour. Wherefore order was gyven to send for them, and, thus much being signified unto them both by his Majestie and the councell table, after certaine grave admonitions for their behaviour in future, towards his Majestie and the causes of his prerogative and estate, direccions were given for their present inlargement.

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WESTMINSTER:
J. B. NICHOLS AND SONS, PRINTERS,
25, PARLIAMENT STREET.

THE

CAMDEN SOCIETY,

FOR THE PUBLICATION OF

EARLY HISTORICAL AND LITERARY REMAINS.

At a General Meeting of the Camden Society held at No. 25, Parliament Street, Westminster, on Monday, the 3rd day of May, 1858,

JOHN BRUCE, ESQ., THE DIRECTOR, IN THE CHAIR,

THE Director having opened the business of the Meeting,

The Secretary read the Report of the Council agreed upon at their meeting of the 21st of April, whereupon it was

Resolved, That the Report be received and adopted, and that the Thanks of the Society be given to the Director and Council for their services.

Thanks were then voted to the Local Secretaries and to the Editors of the Publications for the past year.

Then it was Moved, Seconded, and Resolved Unanimously, That

This Meeting desires to express its strong sense of the loss which the Camden Society has sustained in the Death of its President, the late Right Hon. The LORD BRAYBROOKE. The interest which for many years he took in the welfare of the Society, his application of his own literary talent to its service in the Editorship of the Autobiography of Sir John Bramston, and his conduct as President, both in the Council and at the general meetings—always able and impartial—deservedly placed him high in the estimation of the Society, and rendered his decease a subject of universal regret.

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The Rev. PHILIP BLISS, D.C.L. F.S.A.
The Right Hon. JOHN WILSON CROKER, LL.D. F.R.S.
JOHN DISNEY, Esq., F.S.A.
The EARL FITZWILLIAM.
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CHARLES E. RUMBOLD, Esq.
Rev. WALTER SNEYD, M.A.

To them must be added the name of a nobleman to whom the Camden Society, in common with other institutions for the promotion of English Literature, was under many obligations. To his Grace the late DUKE OF DEVONSHIRE this Society was indebted for its second publication, Bishop Bale's Play of King Johan, and shortly before his death the Duke placed in the hands of Mr. COLLIER a volume of the Letters of Thomas Savile Lord Halifax, and his brother, with a view to such a publication from them as should be deemed right by the Council.

The Books issued since the last General Meeting have been :—

1. Journal of the Very Rev. Rowland Davies, LL.D., Dean of Ross, and afterwards Dean of Cork, from March 8, 1689, to Sept. 29, 1690. Edited by RICHARD CAULFIELD, B.A.

A volume which has many claims on the attention both of the local and general historian.

2. The Domesday of St. Paul's; a Description of the Manors belonging to the Church of St. Paul's in London in the year 1222. Edited by the VEN. WILLIAM HALE, M.A., Archdeacon of London.

A most important work, of especial interest to the London Topographer, and of great value with reference to our early ecclesiastical and social history. The labours of the Editor, the VENERABLE ARCHDEACON HALE, to the extent and success of which the Council bear willing testimony, have set forth this work to the best advantage. Its great value has been already made apparent in the History of Latin Christianity by the Dean of St. Paul's, and it cannot be doubted that, to the honour of the Editor and the Society, it will take rank, on equal terms, both on the score of historical importance and careful Editorship, with the most valuable publications of its class.

During the past year the Council have added the following works to the list of suggested publications:—

The Liber Famelicus of Bulstrode Whitelock. To be edited by JOHN BRUCE, Esq. V.P.S.A.

Narratives of the Days of the Reformation, chiefly selected from the Papers of John Foxe the Martyrologist. To be edited by JOHN GOUGH NICHOLS, Esq. F.S.A.

The Journals of Richard Symonds, an Officer in the Royal Army temp Charles I. To be edited by CHARLES E. LONG, Esq. M.A.

Letters of George Lord Carew, afterwards Earl of Totnes, to Sir Thomas Roe. To be edited by JOHN MACLEAN, Esq. F.S.A.

In addition to these more extensive works the Council have accepted several contributions towards a new volume of THE CAMDEN MISCELLANY.

In closing their Report the Council beg to congratulate the Society on the important steps now taking by the Master of the Rolls (with the sanction of the Government) for the promotion of English Historical Literature, by the publication of Calendars of our State Papers and editions of our Early Chronicles. When this Society was instituted, all publication of historical materials at the expense of Government had been suspended. Nor was there any other channel open by which such valuable books as the Domesday of St. Paul's, and many others of this Society's works, could be made known. If the labours of this Society—imperfect substitute as they may have been—have partially supplied the void, or led the way to a state of things more creditable to us as a people conscious of the benefit of sound historical literature, the fact is one of which the Society may feel proud. Whilst those publications are in progress some portion of the original design of the Society will probably fall into partial abeyance. Such books as the Chronicles of Joscelin de Brakelond, Rishanger, and Peterborough, with the others before mentioned, will now find other channels of publication. But this is not a circumstance which will be in any degree detrimental to the Society. On the contrary, the limitation of our operations to Documents, Letters, Diaries, Poems, and other works not contemplated by the Master of the Rolls, will probably tend to advance the interest and popularity of the Society's publications, and will justify the Council in printing historical illustrations of a more recent date.

By direction of the Council,

JOHN BRUCE, Director.
WILLIAM J. THOMS, Secretary.

REPORT OF THE AUDITORS,

DATED APRIL 21ST, 1858.

WE, the Auditors appointed to audit the Accounts of the Camden Society, report to the Society, that the Treasurer has exhibited to us an account of the Receipts and Expenditure from the 1st of April, 1857, to the 31st of March, 1858, and that we have examined the said accounts, with the vouchers relating thereto, and find the same to be correct and satisfactory.

And we further report, that the following is an Abstract of the Receipts and Expenditure during the period we have mentioned.

RECEIPTS.	£.	s.	d.
Balance of last year's account	174	4	4
Received on account of Members whose Subscriptions were in arrear at the last Audit.....	115	0	0
The like on account of Subscriptions due 1st May last (1857) ..	342	0	0
The like on account of Subscriptions due 1st May next.....	17	0	0
By compositions received from five Members.....	50	0	0
One year's dividend on £974 16s. 3d. 3 per Cent. Consols, standing in the names of the Trustees of the Society, deducting Income Tax..	28	7	9
	£726	12	1

EXPENDITURE.		£.	s.	d.
By Purchase of Stock (£41 6s. 10d.)		40	0	0
Paid for printing and paper 750 copies of "Trevelyan Papers, Vol. I."		105	17	6
The like of 750 copies of "Diary of Dean Davies"....		105	14	9
Paid for binding 600 copies of "Knights Hospitallers"		25	4	0
The like of 600 copies of "Trevelyan Papers".....		21	12	0
The like of 600 copies of "Davies's Diary"		21	12	0
Paid for "Index to Domesday of St. Paul's"		16	16	0
Paid for delivery and transmission of 600 copies of "Davies's Diary," with paper for wrappers, &c.....		8	10	3
Paid for Advertisements.....		2	15	6
Expenses connected with the transfer of Stock to New Trustees on the retirement of Sir Henry Ellis		6	6	9
One year's payment for keeping Accounts and General Correspondence of the Society		52	10	0
Paid for Miscellaneous Printing.....		11	5	0
Paid for postage, carriage of parcels, and other petty cash expenses		6	4	6
Balance by one Composition	£10 0 0			
,, by Cash	292 3 10			
		302	3	10
		£726	12	1

And we, the Auditors, further state, that the Treasurer has reported to us, that over and above the present balance of £302 3s. 10d. there are outstanding various subscriptions of Foreign Members, of Members resident at a distance from London, &c. which the Treasurer sees no reason to doubt will shortly be received.

ROBERT PORRETT,
GEO. R. CORNER, } Auditors.

21st *April*, 1858.

WORKS OF THE CAMDEN SOCIETY.

For the Subscription of 1838-9.

1. Restoration of King Edward IV.
2. Kyng Johan, by Bishop Bale.
3. Deposition of Richard II.
4. Plumpton Correspondence.
5. Anecdotes and Traditions.

For 1839.

6. Political Songs.
7. Hayward's Annals of Elizabeth.
8. Ecclesiastical Documents.
9. Norden's Description of Essex.
10. Warkworth's Chronicle.
11. Kemp's Nine Daies Wonder.

For 1840.

12. The Egerton Papers.
13. Chronica Jocelini de Brakelonda.
14. Irish Narratives, 1641 and 1690.
15. Rishanger's Chronicle.

For 1841.

16. Poems of Walter Mapes.
17. Travels of Nicander Nucius.
18. Three Metrical Romances.
19. Diary of Dr. John Dee.

For 1842.

20. Apology for the Lollards.
21. Rutland Papers.
22. Diary of Bishop Cartwright.
23. Letters of Eminent Literary Men.
24. Proceedings against Alice Kyteler.

For 1843.

25. Promptorium Parvulorum: Tom. I.
26. Suppression of the Monasteries.
27. Leycester Correspondence.

For 1844.

28. French Chronicle of London.
29. Polydore Vergil.
30. The Thornton Romances.
31. Verney's Notes of Long Parliament.

For 1845.

32. Autobiography of Sir J. Bramston.
33. Correspondence of Duke of Perth.
34. Liber de Antiquis Legibus.
35. The Chronicle of Calais.

For 1846.

36. Polydore Vergil's History, Vol. I.
37. Italian Relation of England.
38. Church of Middleham.
39. The Camden Miscellany, Vol. I.

For 1847.

40. Life of Lord Grey of Wilton.
41. Diary of Walter Yonge, Esq.
42. Diary of Henry Machyn.

For 1848.

43. Visitation of Huntingdonshire.
44. Obituary of Richard Smyth.
45. Twysden on Government of England.

For 1849.

46. Letters of Elizabeth and James VI.
47. Chronicon Petroburgense.
48. Queen Jane and Queen Mary.

For 1850.

49. Bury Wills and Inventories.
50. Mapes de Nugis Curialium.
51. Pilgrimage of Sir R. Guylford.

For 1851.

52. Secret Services of Chas. II. & Jas. II.
53. Chronicle of Grey Friars of London.
54. Promptorium Parvulorum, Tom. II.

For 1852.

55. The Camden Miscellany, Vol. II.
56. Verney Papers to 1639.
57. The Ancren Riwle.

For 1853.

58. Letters of Lady B. Harley.
59. Roll of Bishop Swinfield. Vol. I.

For 1854.

60. Grants, &c. of Edward the Fifth.
61. The Camden Miscellany, Vol. III.
62. Roll of Bishop Swinfield. Vol. II.

For 1855.

63. Charles I. in 1646.
64. English Chronicle 1377 to 1461.
65. Knights Hospitallers.

For 1856.

66. Diary of John Rous, Incumbent of Santon Downham, Suffolk, from 1625 to 1642. Edited by Mrs. EVERETT GREEN.

67. The Trevelyan Papers. Part I. Edited by J. P. COLLIER, Esq. F.S.A.

68. Journal of the Very Rev. Rowland Davies, LL.D., Dean of Ross, from March 8, 1689, to Sept. 29, 1690. Edited by RICHARD CAULFIELD, B.A.

For 1857-8.

69. The Domesday of St. Paul's; a Description of the Manors belonging to the Church of St. Paul's in London in the year 1222. Edited by the VEN. WILLIAM HALE, M.A., Archdeacon of London.

70. The Liber Famelicus of Sir James Whitelocke. Edited by JOHN BRUCE, Esq. V.P.S.A.

For 1858-9.

71. Narratives of the days of the Reformation, and the contemporary Biographies of Archbishop Cranmer: selected from the Papers of John Foxe the Martyrologist. Edited by JOHN GOUGH NICHOLS, Esq. F.S.A. *(Nearly ready.)*

Works in Progress.

The Romance of Blonde of Oxford and Jehan of Dammartin. Edited by THOMAS WRIGHT, Esq., M.A., F.S.A. *(Nearly ready.)*

Surrenden Papers. From the Originals in the possession of Sir Edward Dering, Bart. Edited by the Rev. LAMBERT B. LARKING, M.A. (*In the Press.*)

The Journals of Richard Symonds, an officer in the Royal Army, temp. Charles I. Edited by CHARLES EDWARD LONG, Esq. M.A. (*In the Press.*)

Letters of Thomas Savile, Lord Halifax, and his Brother. From a MS. in the possession of His Grace the Duke of Devonshire and from H.M. State Paper Office. Edited by WM DURRANT COOPER, Esq. F.S.A.

Letters of George Lord Carew, afterwards Earl of Totnes, to Sir Thomas Roe. Edited by JOHN MACLEAN, Esq. F.S.A.

The following have recently been added to the List of Suggested Publications :—

I. A Selection from the Case-Book of Sir Theodore Mayerne, illustrative of the Personal Characteristics, Habits, Peculiarities, &c. of almost all the Historical Celebrities of the reign of James I. and Charles I. To be edited, with translations where required, by VINCENT STERNBERG, Esq.

II. Privy Purse Expenses of King William III. To be edited by J. Y. AKERMAN, Esq. Sec. S.A.

III. An historical Narrative of the two Howses of Parliament, and either of them, their Committees and Agents', violent Proceedings against Sir Roger Twysden. From the original in the possession of the Rev. LAMBERT B. LARKING.

IV. Narrative of the Services of M. Dumont Bostaquet in Ireland. To be edited by the Rev. JAMES HENTHORN TODD, D.D.

V. The Correspondence of Sir Robert Cotton, from the Cottonian MS. Julius C. III. To be edited by the Rev. JOSEPH STEVENSON, M.A.

VI. The Household Book of William Lord Howard, "Belted Will." To be edited by JAMES CROSBY, ESQ., F.S.A.

VII. A Diary of Mr. Henry Townsend, of Elmley Court, co. Worcester, for the years 1640—42, 1656—61, from the original MS. in the possession of Sir T. Phillipps, Bart. To be edited by Mrs. EVERETT GREEN.

The subscription of One Pound is due in advance on the 1st of May in every year.
No Books are delivered until the Subscription for the Year has been paid.

25, *Parliament Street, Westminster,* W. J. THOMS, Secretary.
5 *May*, 1858.

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